

PROLOGUE

The Admissions and Orientation (A&O) Handbook provides you with general information about the Federal Bureau of Prisons (BOP) and the Federal Medical Center-Devens (FMC, Devens). This handbook has been prepared with the thought that good communication between staff and inmates is essential in the development of a positive atmosphere within a correctional setting.

It is the policy of the Bureau of Prisons to treat inmates fairly, humanely, and responsibly and afford them the opportunity for self-improvement. As an inmate in the BOP, you can expect:

- Accessibility to staff,
- Consistent and fair treatment,
- Responsiveness to your needs,
- A safe, secure and sanitary environment, and
- Clear and accurate information about decisions affecting you.

Your confinement at this institution involves a number of obligations on the part of staff and inmates alike. As staff members, our primary responsibility is to ensure that the mandate of the court is carried out. We also believe it is very important to provide work, education, recreation, and other self-improvement programs to help you prepare for your eventual return to the community. Your personal safety is our utmost concern, one of the most critical obligations of an inmate is to report any appearance of depression, suicide, or hopelessness in another inmate. It is not unusual to experience these feelings while incarcerated in jail or prison. If you notice another inmate struggling with these feelings, it is your obligation to notify **any** staff member immediately. It is that staff members duty to make the necessary emergency contacts to ensure that the afflicted inmate receive immediate medical/psychological attention to ensure that his personal safety is primary.

It is your responsibility to contribute to a positive institution atmosphere by adhering to the rules and regulations of the institution.

J. Grondolsky
Warden

INTRODUCTION

Your inmate handbook was prepared by the staff of the Federal Medical Center, Devens, Massachusetts, to serve as a reference guide and to provide an overview of procedures and programs at this facility. Additional information can be found in Program Statements and Institution Supplements located in the Law Library.

The information, although current at the time of printing, is subject to change. You are responsible for keeping your handbook up to date.

GENERAL INFORMATION

Admission & Orientation: Inmates will reside in their assigned unit and shall participate in the Admission & Orientation (A&O) Program for approximately 4 weeks. During orientation, inmates will meet staff and become familiar with the physical setting of the compound. The A&O Program consists of lectures and group meetings to learn about regulations, programs, and activities. Inmates will receive a thorough physical examination and complete educational, vocational, and psychological tests during the orientation period. Although inmates will not be given a work assignment until cleared by Health Services, they are expected to complete their in-house assignments under the direction of the Unit Team and the Unit Officer.

Accountability Checks: Inmates must be accounted for at all times. An accountability check is commonly referred to as "Count Time." Official counts will be conducted at 12:05 AM, 3:00 AM, 5:00 AM, 4:00 PM and 10:00 PM. On holidays and weekends, there is an additional count held at 10:00 AM. The daily 4:00 PM count and the 10:00 AM count held on holidays and weekends will be a "stand up" count.

There is **NO** talking or playing of radios during a count. Each inmate must be standing during the "stand up" count (with the exception of those who have medical restrictions). There will be no movement until the count has been cleared. Inmates may not open/close lockers, etc., during counts. During evening and early morning counts, Correctional Officers may use flashlights for counts. If an inmate is completely covered, the Correctional Officers may call the inmates in an attempt to get his attention. If unsuccessful, the Correctional Officer will lightly tap on the bed to make certain the inmate is accounted for. The Correctional Officers must see living, breathing human flesh.

Census Counts/Special Counts: Census or Special Counts may be announced at any time. During census counts, no inmate movement is allowed. Inmates are to remain where they are when the special count is called. All inmate movement must cease.

Emergency Counts: Emergency Counts may be announced at any time. In the event of an emergency count, inmates are to report immediately to their assigned living quarters. All emergency counts will be "stand up" counts.

Controlled Movement: A controlled movement system is in effect from 7:30 AM to 8:30 PM each day. Open movement will commence at 7:30 AM and will last for 15 minutes in duration. Following the completion of the open movement, all inmates must remain in their assigned area until the next scheduled movement. Under normal conditions, open movement will take place every hour on the half hour with the exception of scheduled movements for medical and meal times. The only exception will be inmates who possess authorized staff passes.

Running or jogging is not permitted. The Recreation Yard is the designated area for running or jogging.

Pass System: At this institution, a fifteen minute period has been determined to be an adequate amount of time to move to any area in this facility. Inmates traveling from one destination to another during any time other than open movement (work call, meals and recall) require a pass. There are four types of passes here:

1. Institution Pass - issued when an inmate goes from one point to another.
2. Recreation / Library Pass - issued when an inmate must go to the recreation yard, inmate activity center, legal and leisure libraries.
3. Facilities Pass - issued to inmates working in the Facilities Department who are on required job sites throughout the institution.
4. Medical Pass - issued to inmates during a sick-call appointment allowing the inmate to report back to Medical Staff at a designated time.

Passes will be issued by the sending staff member and will be retained by the inmate until the movement is completed. Inmates should have the pass visible when traveling from one area to another. All inmates are required to be in possession of a pass when not traveling during open movement and must present the pass to any staff member when instructed to do so. Once the inmate's scheduled travel is completed, the pass must be returned to the issuing staff member.

Change Sheet/Call-Out: The Change Sheet reflects changes in educational status and changes in work assignment. Attached to the Change Sheet is the Call-Out. The Call-Out is used to schedule medical, dental, educational and other appointments for the inmate with staff. This multi-listing is posted on a television set in the unit Monday through Friday. It is the inmate's responsibility to review the Change Sheet/Call-Out daily for scheduled appointments which must be kept, as missed appointments may result in disciplinary action.

Out-of-Boundary-Areas: Certain areas are "Out of Bounds" unless inmates are assigned to work there or have been called by staff. If an inmate is called to one of these areas, he is to report immediately to the staff on duty. Inmates should not linger following completion of their business. These areas include but are not limited to:

1. Administration Building (except to go to Inmate Systems and to R&D).
2. Any housing unit, other than the one in which the inmate is assigned.
3. Grass areas (except where authorized on the Recreation Yard).
4. Rear gate area.

Inmate Request to Staff Member (Cop-Out): The Inmate Request to Staff Member form (BP-ADMIN-70, commonly referred to as a "Cop-Out") is used to request appointments or to address concerns with staff. Various types of requests can be made with this form. Completed forms should include a brief account of the inmates problem and/or request(s) and his comments concerning what he would like to have done. Staff will respond to the inmates request within a "reasonable"(ordinarily within 72 hours) period of time.

Contraband/Searches ("Shakedown"): Contraband is defined as anything not authorized for retention, not issued by the institution, not received through approved channels, or not purchased through the Commissary. Staff are alert to the subject of contraband and make an effort to locate, confiscate and report contraband found in the facility. Anything not in its original container is considered nuisance contraband. Any item in the inmate's personal possession must be authorized and a record of the receipt of the items should be kept in his possession. Inmates cannot purchase or loan radios or any other items from another inmate, nor can an inmate store property in another inmate's locker. Items purchased or obtained in this manner are considered contraband and will be confiscated. Items from an inmate's work site are considered contraband if found in the housing unit. Any item which is altered, even if originally approved or issued, is considered contraband. Altering or damaging U.S. Government property is a violation of institution rules and the cost of the damage may be levied against the violator. All inmates are subject to pat searches, visual searches and searches of their assigned cell, cubicle or other assigned living space. While staff are conducting searches, inmates are

not allowed in the cell, cubicle or assigned living space. Staff are required to search inmate cells to locate contraband or stolen property. An inmate's property and living area will be left in the same general condition as it was found. Inspections are unannounced and conducted at random.

Urine/Alcohol Surveillance: Inmates may be asked to give a urine or Breathalyzer sample at any time. When an inmate is called to give a urine sample, he has two (2) hours to provide the sample or an Incident Report will be written. Inmates must remain under direct staff observation during those two (2) hours. Failure to submit to a urine sample or Breathalyzer will be treated as a refusal and will result in disciplinary action. Water or other fluid may be taken only upon permission of the Operations Lieutenant or the Captain. A Breathalyzer test must be completed when called for testing. There is no allowed delay.

UNIT MANAGEMENT

Unit Teams: Like most BOP institutions, FMC, Devens is organized into a Unit Management. Each unit has a mission and inmates are assigned to each unit based upon their needs. Generally, the resolution of issues or matters of interest is most appropriately initiated with the unit team. Unit team staff are available to assist in many areas, including parole matters, custody classification, release planning, personal and family problems, counseling, and assistance in setting and attaining goals while incarcerated.

A Unit Team member is usually available daily from 7:30 AM to 9:00 PM, during regular work days and 7:30 AM to 4:00 PM, during weekends and holidays. Each unit is staffed by a unit team directly responsible for those inmates living in that area.

UNIT STAFF RESPONSIBILITIES:

1. **Unit Manager:** The Unit Manager has the overall responsibility for internal security, safety, sanitation, planning, implementing and evaluating unit programs. He/she works with other departments and reports directly to the Associate Warden of Programs and the Warden.
2. **Case Manager:** A Case Manager is responsible for all casework services and prepares classification materials, progress reports, release plans, correspondence and other materials relating to the inmate's commitment. He/she reports to the Unit Manager on a daily basis and the Case Management Coordinator (a specialist department head who provides technical assistance to unit staff in case management affairs) with reference to specialized training and duties. The Case Manager serves as a liaison between the inmate, the administration, and the community. The Case Manager is a frequent member of the Unit Disciplinary Committee (UDC).
3. **Counselor:** The Correctional Counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties and plans for the future. He/she plays a leading role in all segments of unit programs and is a member of the unit team. The Counselor will visit inmate work assignments regularly and is ordinarily the individual to approach for daily problems. The Counselor is a frequent member of the UDC. He/she reports to the Unit Manager.
4. **Unit Secretary:** The Unit Secretary is responsible for clerical functions in the Unit. This includes maintaining Inmate Central Files, typing various reports, correspondence and paperwork necessary for inmate releases. He/she reports to the Unit Manager.
5. **Educational Representative:** The Educational Representative plans, coordinates and evaluates the inmate's academic and/or vocational needs and programs. He/she reports to the Supervisor of Education.

6. **Psychology Representative:** A Psychology Representative will evaluate the inmates' mental health needs and will recommend programs to meet these needs. He/she reports to the Chief Psychologist.
7. **Correctional Officer:** A Correctional Officer is responsible for the day-to-day supervision of inmates and the enforcement of rules and regulations. Officers inspect all areas of the unit, promote sanitation and report discrepancies. Unit Officers are supervised by the Operations Lieutenant and the Unit Manager.

Program Reviews (Team): An inmate's first Team Review will ordinarily be within 28 days if he is a new commitment and within two weeks if he is a Supervised Release or Parole violator. During this initial team review, the inmate will meet with Unit Team members, which may include representatives from Education and Psychology.

After the first team meeting, the inmate will be scheduled for team every ninety (90) to one hundred eighty (180) days, depending on the remainder of time to be served on his sentence. Pretrial inmates are ordinarily classified within twenty one (21) days of arrival and subsequent reviews will be held at least every ninety (90) days. At Program Review, the inmate may discuss work assignments, classes, transfer requests, good time, parole matters, security and custody matters. Program Reviews also provide an opportunity for the inmate to participate in making decisions regarding his individual programming needs.

Custody Classification: Custody is determined by the percentage of time served on the inmate's sentence, his history of substance abuse, psychological stability, responsibility demonstrated, family and community ties, and type and frequency of misconduct reports. Except for emergency situations, inmates will not be reviewed for possible custody level change until they have been housed at this facility for six (6) months. Following the initial custody review, all subsequent reviews will be conducted once (1) per year in conjunction with a program review (Team). If an inmate has questions concerning his custody level, he should see his assigned Case Manager.

Security Designation: Security levels have been assigned to each institution within the Bureau of Prisons. FMC Devens is an administrative security level facility. Security levels take into consideration the severity of your offense, any Detainers or pending charges, estimated length of confinement, prior history of incarceration, escape and/or violence. Generally, an inmate's security level is determined before admission by a BOP designating official. Unit staff will review an inmate's security level periodically to determine the need for increases and decreases.

Sentence Computation: If an inmate's offense was committed prior to November 1, 1987, he is sentenced under provisions of the Old Law. If the total offense or any portion of the offense was committed on or after November 1, 1987, he is sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act, commonly referred to as New Law. The primary difference between Old Law and New Law sentences is Good Time Earning Rate and Parole Eligibility or Non-Parole Eligibility. Inmate Systems Management (ISM) is responsible for the computation of inmate sentence(s). Ordinarily, inmates will be given a copy of their sentence computation within 30 days. Any questions concerning good time, prior custody, parole eligibility, length of sentence, full-term dates, release dates, 180-day dates, and periods of supervision should be addressed to the Inmate Systems Manager in the Records Office.

Selective Service System: All male U.S. citizens 18 to 25 years of age are required by law to register with the Selective Service system. Inmates are exempt from registration requirements while incarcerated; however inmates can register during the institution A&O program. Upon release, registration must be accomplished within 30 days.

Furlough/Escorted Trips: Inmate requests for furloughs or escorted trips are reviewed on a case by case basis. Generally, a furlough or an escorted trip is restricted to attendance at a funeral of an inmate's verified immediate family member or for a bedside visit with a critically ill immediate family member. The inmate must bear all the costs associated with approved trips. Requests should be submitted to a member of the inmate's assigned Unit Team.

Administrative Remedy Process: The Bureau of Prisons emphasizes and encourages the resolution of complaints on an informal basis. It is hoped that an inmate can resolve a problem by speaking with appropriate staff members and through the use of Inmate Request To Staff Member forms. When informal resolution is not successful, a formal complaint can be filed by submitting a Request for Administrative Remedy Form (BP-229). Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, Parole Appeals, and complaints on behalf of other inmates are NOT accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy procedure occurs when an inmate attempts to informally resolve his complaint. If the attempt at informal resolution is unsuccessful, the inmate must see his Unit Counselor, who will complete an Informal Resolution Form (ordinarily within three working days). If the inmate is dissatisfied with the Counselor's attempts, the Counselor will issue a Request for Administrative Remedy (BP-229) for further processing. Both forms must be returned to the Counselor for formal filing, within 20 days of the date on which the basis of the complaint occurred. The inmate must return the completed BP-229 Form and demonstration of his attempts at informal resolution to the Counselor for further processing.

The Warden has twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days, but the inmate must be notified of the extension. When a complaint is determined to be of an emergency nature and threatens an inmate's immediate health or welfare, the reply will be made as soon as possible and within forty-eight (48) hours from receipt of the complaint. If the inmate is not satisfied with the Warden's response, he may appeal to the Regional Director within 20 days. This appeal must include the documented attempts made at resolving the matter at the institutional level. The Regional Director has 30 days to respond to an inmate's appeal, which may be extended for 30 days, upon notification.

Discipline Hearing Officer (DHO) appeals are to be filed directly with the Regional Director on a Regional Administrative Remedy Appeal Form. A "sensitive" issue, as defined in Program Statement 1330.13, may be filed directly to the Regional Office.

If an inmate is not satisfied with the Regional Director's response, the inmate may appeal to Central Office within 30 days. Inmates must attach copies of the Warden's and Regional Director's responses and are responsible for mailing the complaint to Central Office.

The Central Office has 40 days to respond to an inmate's appeal, which may be extended for 40 days, upon notification. When submitting a complaint or appeal, the inmate should clearly state the facts leading to the complaint and the relief he is seeking.

Financial Responsibility Program (FRP): The Unit Team will identify all inmates who have financial obligations to Federal or State governments. These commonly include assessment fees, fines (committed and non-committed) and court-ordered restitution. During Initial Classification, a financial plan is developed for the inmate to satisfy any financial obligations. The inmate's financial obligations will also be reviewed during scheduled program reviews. All inmates are required to pay their court ordered obligations in a manner commensurate to the amount of money taken into his commissary. A formula has been implemented to allow for the inmate to have funds for stamps, hygiene items and telephone credits. An inmate receiving Performance Pay who fails to make progress on his financial plan will be subject to restricted privileges. Monies received from outside sources and deposited into the inmate's Commissary account will be considered

when assessing the amount the inmate will be required to pay towards his financial obligation(s).

Unit staff must consider the inmates participation in the FRP as part of the overall institutional adjustment. Refusal to participate will be documented in Progress Reports and on the Security/Custody Classification Form. The Unit Team will consider the demonstrated level of financial responsibility on all requests for participation in community activity, to include furloughs and Community Corrections Center (RRC) placement. Financial responsibility must be demonstrated to be eligible for community programs. The Unit Team will not recommend an inmate for community programs if he refuses to participate in this program. The U.S. Parole Commission will also review financial responsibility progress at parole hearings.

The Unit Team will identify any inmate who must pay for the cost of his incarceration. The Program Statement entitled "Cost of Incarceration", indicates that if a defendant's sentencing court did not impose a fine or waive the fine due to the defendant's inability to pay, inmates may be subject to paying cost of incarceration for one year. The Unit Team will utilize the Presentence Investigation Report to determine an individual's ability to pay the Cost of Incarceration Fee (COIF). Once the COIF is determined, the Unit Team will notify the inmate. Fees imposed under this obligation are due and payable 15 days after notice of the Unit Team's action. If the amount owed is determined to be substantial and the inmate cannot pay this obligation within 15 days, the Unit Team will establish a payment plan not to exceed 12 months. This obligation must be paid within the first year of confinement. Any requests for waiver of the fee must be addressed and approved by the Warden as outlined in the Program Statement and the Institution Supplement concerning COIF. Sanctions for failure to pay any court ordered obligation outlined in the Program Statement entitled "Financial Responsibility Program" will also apply for failure to pay this obligation as outlined in COIF. Some of these restrictions will include ineligibility for community based programs (i.e., CCC placement, furloughs, funeral trips or bedside visits), restriction to maintenance pay level, failure to receive a release gratuity and loss of preferred housing/work assignment.

UNIT LIVING

Town Hall Meetings: Town Hall Meetings are utilized by staff to disseminate information to the inmate population. These meetings provide an opportunity to discuss new policies and procedures, regulations, problems within the unit and other subjects. Attendance is mandatory and inmates are to conduct themselves in a quiet and respectful manner.

Showering: The showers will be open only during specified times each day. Refer to the unit bulletin board for the appropriate showering times.

Care of Appliances: Units are provided with appliances such as televisions, irons, buffers and microwaves. Inmates should use the utmost care when using these items because repair or replacement is often difficult and damages incurred will be the inmate's responsibility. Willful abuse of these items may result in disciplinary action. If an inmate does not know how to operate an appliance, he should ask the Correctional Officer. Irons will be issued by the Unit Officer. Inmates will be responsible for damaged or missing items issued to them.

Clothing (Institution-Issued): All inmates will be issued institutional clothing in accordance with stated policy by the Clothing/Laundry Room shortly after their arrival. Issued clothing is not to be altered in any way and must be returned to the Clothing/Laundry Room when it is no longer needed. Uniform clothing must be worn Monday through Friday 7:30 AM to 4:00 PM on the work detail, in the Visiting Room and if inmates go to the dining hall for lunch on a weekday. Uniforms are to be worn with shirts buttoned and tucked inside the pants. Pants are to be worn without the legs rolled up, no items hanging out of pockets, or worn below the waist line. No shower shoes are to be worn outside the Units.

INMATE DRESS REGULATIONS

1. Authorized Uniform:

A. The authorized uniform consists of khaki trousers and shirt at the FMC and green trousers and shirt at the FPC. The uniform will be worn on all work assignments, except Food Service workers who wear the white trousers and shirt. Soiled or torn clothing will not be worn.

B. The authorized uniform will be worn during all visits and during normal working hours defined as 6:15 a.m. to 4:00 p.m., Monday through Friday, excluding Federal holidays. The shirt will be tucked neatly into the trousers and buttoned, except the top button may be unbuttoned. The sleeves may be rolled neatly to the elbow, or worn all the way down and buttoned. Trousers will not be rolled up, sagging, or bloused inside the inmate's socks or shoes.

Whenever the authorized uniform is worn, the shirt must be tucked in.

C. Shower shoes are not to be worn outside the housing units.

D. Sweatshirts may be worn, but will be worn under the authorized shirt.

E. All sleeves, trouser, and shorts will be hemmed; cutoffs and other altered clothing are not permitted.

F. The regular authorized dress uniform is required for educational classes and during normal working hours at religious services. Food Service workers are permitted to wear the white shirt and pants to Education classes. After hours and on weekends, leisure wear is permitted in religious services.

2. **Work Details:**

A. Institution issued white T-shirts with the ID tag attached may be worn on outside details in lieu of the khaki or green shirt during the summer (e.g., June - August). The T-shirt must be clean, neatly tucked in, and in good condition.

B. Safety (steel-toed) shoes are to be worn on all work details.

3. **After Hours:**

A. Inmates must wear clothing at all times, except when bathing, including leisure activities and in the living areas.

B. For evenings, weekends, and holidays, inmates must be properly dressed to include shirt (with sleeves), pants or shorts, and socks. If wearing the khaki uniform, shirts must be tucked in.

C. Underwear, including thermal underwear, will not be worn as outer garments except in the individual's room. Thermal underwear will not be worn with shorts, T-shirts, or tank tops.

D. Cutoffs and other altered clothing are not permitted.

4. **Recreation:**

A. Approved athletic shorts, pants, and sweatshirts may be worn while participating in indoor and outdoor recreational activities. Shirts are to be worn at all times by inmates participating in recreational activities and must be tucked in while on the compound. Tank tops may be worn during recreational activities in the outdoor or inside recreation areas. Tank tops may not be worn on the compound or in the Food Service area. Sunglasses will not be worn inside buildings unless prescribed by medical staff.

B. When participating in inside athletics, all participants will be required to wear athletic shoes. On the track, any authorized shoe with the exception of shower shoes is permissible.

5. **Food Service:**

A. Inmates are required to wear their authorized uniforms for the breakfast and lunch meals on weekdays.

B. Inmates may wear athletic wear as described above, after hours, during weekends, and on Federal holidays in Food Service.

C. Inmates will not be allowed in the dining room with torn, soiled, odorous, or wet apparel.

6. **Head Wear:**

A. No caps will be worn inside any building except for Food Service workers, who are working in Food Service.

B. Religious head wear is allowed in the dining room and must be approved by the Chaplain.

C. "Doo" rags will not be worn outside the living areas.

7. **Visiting Room:**

A. Inmates are required to wear the authorized uniform in the visiting room.

B. Foot wear is limited to the issued black boot or boots purchased from Commissary unless the inmate has a medical slip indicating they are required to wear one of the medical shoes issued by the Medical Department.

Unit Living Areas:

1. Inmates should display consideration for others when opening and closing doors, turning lights on/off, excessive noise, etc.
2. Lights must be off in dormitories from 10:00 PM to 6:00 AM on weekdays and 10:00 PM to 10:00 AM on weekends. During lights out, cubicle lights should not be used to provide an alternate form of general lighting. Cubicle lights should only be on when needed.
3. Radios may be played only if earphones are used. No improvised speakers are allowed.
4. Beds are to be made and trash emptied by 7:30 A.M. daily before work or other program activities.
5. Inmates are INDIVIDUALLY responsible for the cleanliness of their area and as a group for the sanitation of the entire dormitory. Dormitories are to be cleaned daily.
6. NO visiting is permitted in the doorways of dormitories or within units other than the inmate's assigned unit.
7. Paper, plastic bags, or boxes are not permitted under beds or stored on lockers. Plastic bags are not authorized for use in trash cans or for storage.
8. Nothing is to be stored under the bed with the exception of footwear.
9. Inmates should secure their property in their assigned locker or storage box. Nothing should be hung, pasted, taped, etc. to walls or windows, including any article of clothing. Lockers will be clean and orderly; nothing is to be displayed on the lockers. Inmate desks may display one photograph (5" X 7") and religious item (i.e., Bible, Quran). Nude photographs are not to be displayed and all pictures must be in good taste.
10. No tobacco products are allowed in the facility.
11. Other than a laundry bag, nothing will be hung, pasted, taped, or tied to bedposts or railings. A second blanket may be neatly folded and placed at the foot of the bed.

Double-Bunked and Single Cell Living Areas:

1. Inmates are responsible for their room's cleanliness, its furnishings and its overall condition. Inmates will be required to pay for any damage to the room or its furnishings. Cleaning supplies may be obtained from the Unit Counselor or the Unit Officer.
2. Inspections are held weekly, they are conducted on a random and unannounced basis. Deficiencies noted during an inspection may result in disciplinary action.

Energy Conservation: Lights and televisions are to be turned off when a room is unoccupied.

Federal Tort Claim Act: If an inmate believes the negligent or wrongful acts or omissions of a staff member resulted in injury or loss of property, or personal injury to the inmate, he may file a claim under the Federal Tort Claims Act. To file such a claim, the inmate must complete a Standard Form 95 available from unit staff, and submit the completed form to the Office of the Regional Counsel. All claims for damage under the Federal Tort Claim Act must be filed within two (2) years of the incident.

Fire Drills: Fire drills may be announced at any time and are held at least once every three (3) months in all units. When the fire alarm sounds, inmates must leave the area immediately by the nearest exit. All inmates will be required to line up in front of the area and remain there until counted by the Correctional Officer. Inmates are NOT to return to their unit until told to do so by the Correctional Officer or unit staff. Any inmate failing to comply with fire regulations and the evacuation procedures will be subject to disciplinary action. Each inmate is responsible to familiarize themselves with fire exit routes.

Fire Prevention: Fire prevention and safety are everyone's responsibility. Piles of trash or rags in closed areas, combustible materials, items hanging from fixtures or electrical receptacles, and other hazards are not tolerated. For the safety of all, inmates must exercise care and cooperation in the prevention of fires. Inmates should extinguish all smoking materials in proper containers and must refrain from placing items on cubicle lights. Additionally, smoking is restricted to designated areas. All housing units are equipped with smoke detectors, interior fire hoses, fire extinguishers and water sprinkler systems. Inmates should be familiar where this equipment is and proper fire safety procedures.

Barber Shop: The Barber Shop will cut hair on an appointment basis and may be subject to the Work Detail Supervisor's approval. Inmates who would like a haircut should submit a written request to their assigned Counselor indicating they would like a Barber Shop appointment. Inmates requesting such appointments will be placed on Call-Out based on availability and hours of operation. Inmates may refer to the unit bulletin boards for posted procedures and current hours of operation.

Locks: Combination locks may be purchased by inmates at the Commissary. These locks are to be used for inmate lockers. Inmates should keep their personal property locked at all times. Staff are not responsible for lost or stolen items.

Laundry Facilities: All institution issued items (i.e., sheets, pillow cases, blankets, towels and uniforms) must be returned in to the institution Laundry for cleaning. Inmate's personal clothing, such as wash cloths and underwear, will be cleaned in the unit per the posted schedule. Inmates are responsible for ensuring their clothing items are kept clean and neat. Laundry days are posted in each unit.

Physical Contact: Inmates are expected to conduct themselves in a responsible manner at all times. Overt sexual behavior is not permitted and will result in disciplinary action.

Radios: Radios are not to be played without the use of earphones. Radios are not permitted on any work site or in Food Service.

Television Rooms: Television rooms with adjacent occupied dormitories or cells will be open as delineated in the Unit Rules and Regulations. Headphones will be utilized at all times for television viewing. Any excessive noise or abuse of television viewing privileges can result in an inmate's restriction from the TV Room or closure of the room to all inmates. Television rules and schedules, as applicable, will be posted in the unit. It should be noted that late night television may be canceled or forfeited based upon poor sanitation

scores.

Repairs: Inmates may report needed repairs such as burned-out light bulbs and leaky faucets to the Correctional Officer or Unit Team.

Sanitation: All inmates are responsible for their personal hygiene. Inmates are expected to shower and maintain a neat appearance. The Unit Counselor can supply soap, laundry detergent, deodorant, and tooth paste to those inmates who are indigent and cannot afford these items at the commissary. Inmates are responsible for the condition of their living area including its cleanliness and the maintaining of furnishings in general good condition. Inspections are held regularly and failure to maintain adequate sanitation standards may result in disciplinary action. Compliance with the following regulations should ensure satisfactory inspection reports:

1. Nothing is to be hung on the walls, windows, or chairs.
2. Lockers and other storage areas are to be kept orderly. Nothing may be pasted or glued to the locker doors.
3. Only shoes may be stored under the bed.
4. Beds are to be made daily, by 7:30 AM, before reporting to work. On weekends and holidays, beds are to be made by 10:00 AM. All inmates must make their beds on time with no exceptions.
5. Living areas are to be swept daily and mopped regularly.
6. Food items from the Commissary are to be stored in the inmate's locker, not on the window sill or ledge or any other location.
7. Excessive property will not be allowed. Inmates may donate or mail out excess property at their expense.

Smoking: Since November 1, 2004, FMC Devens' has been smoke free. The commissary no longer sells tobacco products. Any tobacco products will be treated as contraband. An inmate found in possession of tobacco products will be subject to disciplinary action.

Sunbathing: Sunbathing is not allowed. All inmates must wear a t-shirt while on the recreation yard. Failure to comply with this rule will result in disciplinary action.

INMATE DINING **(SCHEDULES & "MAIN LINE")**

Main Line and the Religious Diet Program are available in the Dining Room. For information on the Religious Diet Program, consult the Chaplain. Meals are served at the following times:

	<u>Monday-Friday</u>
Breakfast:	6:15 AM to 7:15 AM
Lunch:	At 10:55 AM, those inmates, including those on work details, will be called for lunch according to the following schedule: 11:05 AM Facilities 11:10 AM Education/V.T. 11:15 AM Units will be released based on rotation
Dinner:	After the 4:00 PM count clears, dorms are called based upon the results of the institution inspection.

Saturdays/Sundays/Holidays

Coffee Hour: 7:00 AM to 8:00 AM

Brunch: After the 10:00 AM count clears, units will be called

Dinner: After the 4:00 PM count clears, units are called

After eating, inmates should carry their tray to the dishwashing area. Inmates should dispose of eating utensils properly and pass their tray to the worker or leave it on the counter. Due to space limitations, inmates are expected to consume their meals then vacate the table as promptly as possible.

There are certain rules and regulations inmates should familiarize themselves with:

1. No food is to be taken from the Dining Room.
2. Dishes, eating utensils, salt and pepper packets, sugar packets, etc., are not to be taken from the Dining Room.
3. Form a single line upon entering Food Service and at no time cut ahead of another inmate.
4. Inmates are not to trade or pass items on the serving line.
5. Inmates are not to waste food.
6. Inmates may not save a table, chair or a place in the food service line.
7. Inmates must be appropriately dressed with their shirts tucked in, jackets unzipped and their hats off. Shower shoes, sunglasses and hats are not permitted in the Dining Room.
8. Radios, laundry, books, etc. are not allowed in the Dining Room. Additionally, no personal bowls, cups, etc. can be brought into Food Service.
9. Monday through Friday, uniforms must be worn during lunch and when entering unit office areas. After 4:00 p.m. on weekdays, on weekends and holidays, personal clothing which is neat in appearance may be worn.
10. The only thing that you are permitted to bring to the dining room is hot sauce that was purchased in the institution's commissary.
11. Loitering in the Dining Room is prohibited. Inmates are afforded approximately 22 minutes to complete a meal.
12. Inmates shall not remove plates, forks, cups, trays, etc. from the Dining Room. Inmates in possession of such items may be subject to disciplinary action. Identification cards must be presented to be scanned under the meal trac scanner.
13. The "A" side serving line is for all inmates that require the mainline bill of fare, heart healthy, no flesh option, medical diets, religious diets and a diabetic snack that is served with the evening meal. The "B" side serving is for mainline, heart healthy and no flesh only.

HEALTH CARE SERVICES

The Health Services Department has outpatient and inpatient services. The overall health care delivery system includes local medical facilities and medical referral centers. On-site medical care is available 7 days a week. Identification cards must be presented prior to receiving services, medications and having blood drawn.

PATIENT'S RIGHTS AND RESPONSIBILITIES

While in the custody of the Federal Bureau of Prisons, you have the right to receive health care in a manner that recognizes your basic human rights, and you also accept the responsibility to respect the basic human rights of your health care providers.

RIGHT: You have the right to health care services, in accordance with the procedures of this facility. Health Services include: medical sick call, dental sick call, and all support services. Request for sick call appointments are submitted at this facility on Monday, Tuesday, Thursday, and Friday. You will be given an appointment to return to the clinic at an assigned date and time. Emergency health care services are available 24 hours each day, and are accessed by contacting the correctional worker responsible for you.

RESPONSIBILITY: You have the responsibility to comply with the health care policies of this facility. You have the responsibility to follow recommended treatment plans that have been established for you by the facility's health care staff, including proper use of medications, proper diet, and following the instructions of your health care provider.

RIGHT: You have the right to be offered the chance to obtain a Living Will (at your own expense), or to provide the Bureau of Prisons with Advanced Directives that would provide this facility with instructions if you are admitted as an inpatient of a hospital.

RESPONSIBILITY: You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.

RIGHT: You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious disease.

RESPONSIBILITY: You have the responsibility to maintain your health and not to endanger yourself or others by participating in activity that could result in the spreading of or catching an infectious disease.

RIGHT: You have the right to know the name and professional status of your health care providers.

RESPONSIBILITY: You have the responsibility to respect these providers as professionals, and follow their instructions to maintain and improve your overall health.

RIGHT: You have the right to be treated with respect, consideration, and dignity.

RESPONSIBILITY: You have the responsibility to treat staff in the same manner.

RIGHT: You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.

RESPONSIBILITY: You have the responsibility to keep this information confidential.

RIGHT: You have the right to be examined in privacy.

RESPONSIBILITY: You have the responsibility to comply with security procedures.

RIGHT: You have the right to obtain copies of certain releasable portions of your health records.

RESPONSIBILITY: You have the responsibility to be familiar with the current policy to obtain these records.

RIGHT: You have the right to address any concern regarding your health care to any member of the institution's staff including: physicians, Health Services Administrator, the members of your Unit Team, and the Warden.

RESPONSIBILITY: You have the responsibility to address your concerns in the accepted format such as: Inmate Request to Staff Member form, open house/ Main line, or the accepted Inmate Grievance Procedures.

RIGHT: You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.

RESPONSIBILITY: You have the responsibility to comply with the prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person, or accept from any other person, medications or other prescribed items.

RIGHT: You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.

RESPONSIBILITY: You have the responsibility to eat healthy and not abuse or waste food or drink.

RIGHT: You have the right to request a routine physical examination, as defined by Bureau of Prisons' policy. (If you are under the age of 50, once every two years, and over the age of 50, once a year)

RESPONSIBILITY: You have the responsibility to notify medical staff that you wish to have an examination.

RIGHT: You have the right to dental care as defined in the Bureau of Prisons' policy to include preventative services, emergency care, and routine care.

RESPONSIBILITY: You have the responsibility to maintain your oral hygiene and health.

RIGHT: You have the right to a safe, clean and healthy environment , including smoke-free living areas.

RESPONSIBILITY: You have the responsibility to maintain the cleanliness and safety in consideration of others. You have the responsibility to follow smoking regulations.

RIGHT: You have the right to refuse medical treatment in accordance with the Bureau of Prisons' policies. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill effects of refusing medical treatment.

RESPONSIBILITY: You have the responsibility to notify Health Services regarding any ill effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.

RIGHT: You have the right to assessment and management of your pain.

RESPONSIBILITY: You have the responsibility to address your pain issues with your medical provider during your visit. You have the responsibility to follow the pain treatment plan provided to you.

Inmate Co-Payment Program: Pursuant to the Federal Prisoner Health Care Co-payment Act (FHCCA of 2000 (P. L. 106-294, 18 U. S. C. 4048), The Federal Bureau of Prisons and FMC Devens provide notice of the Inmate Co-payment Program for health care, effective October 3, 2005.

Application: The Inmate Co-payment Program applies to anyone in an institution under the bureau's jurisdiction and anyone who has been charged or convicted of an offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRC's and inmates assigned to the General population at these facilities are subject to co-pay fees.

You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health visit, if you receive health care services in connection with a health care visit that you requested, except for services listed below. These requested appointments include Sick Call and after hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed below, you will be charged a \$2.00 co-pay fee for that visit.

You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary process to have injured an inmate who, as a result of the injury requires a health care visit.

Fees will not be charged for:

Health care services based on health care staff referrals
Health care staff approved follow up treatment for a chronic condition
Preventative health care services
Emergency services
Prenatal care
Diagnosis or treatment of chronic infectious diseases
Mental health care or
Substance Abuse treatment

If a health care provider orders or approves any of the following, we will also not charge a fee for:

Blood pressure monitoring
Glucose monitoring
Insulin injections
Chronic care clinics
TB testing
Vaccinations
Wound Care or
Patient education

Your health care provider will determine if the type of appointment scheduled is subject to a co-pay fee.

Indigency: An indigent inmate is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

If you are considered indigent, you will not have the co-pay fee deducted from your Inmate Commissary Account.

If you are not indigent, but you do not have sufficient funds to make the co-pay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

Complaints: You may seek review of issues related to health service fees through the Bureau's Administrative Remedy Program (see 28 CFR part 542).

Sick Call /Appointments/Procedures: Inmates must fill out an inmate sick call sign-up sheet, located in the lobby of the hospital describing the complaint or problem. Deposit the sick call sign up sheet in the box labeled "Sick Call" situated in the front lobby of the Health Services Unit. The sick call sign up sheets are picked up Monday thru Friday and reviewed by a clinician to determine each case-specific or chronicity of the complaint. The clinician will distribute the sign up sheet among the health care providers and will schedule and place the inmate on the call-out. There are guidelines that merit an urgent same day visit, or conditions that merit the inmate being seen within 24-48 hours, 72 hours, one week and up to two weeks. It is the inmates responsibility to watch out for the daily call-outs. If the inmates appointment is canceled by the medical staff, the inmate will be re-scheduled as soon as possible. Medical emergencies will be evaluated immediately.

Inmates housed in the Special Housing Unit (SHU) and the Inpatient Psychiatric Unit (N-1, N-3) will have the opportunity to speak with medical staff during their daily rounds. Inmates housed on the Inpatient Mental Health Units (N-2, N-4, and N-5) shall follow the instructions above. Any medical concerns should be brought to the attention of health services staff at that time.

An inmate who becomes ill after regular sick call hours should contact his work supervisor or unit officer for an appointment. Inmates may not report to health services on their own accord outside of normal sign-up hours. Inmates housed in the Special Housing Unit and the Inpatient Psychiatric Unit will have an opportunity to speak with medical staff during their daily rounds. Any medical concerns should be brought to the attention of health services staff at that time.

Physical Examinations: An examination will be performed within fourteen (14) days of admission, unless previously completed at another BOP facility. This examination is mandatory and can not be refused. After an inmate's initial examination, he may request a physical exam every two years until age 50 by submitting an Inmate Request to a Staff Member (Cop-Out). At age 50, an inmate may request a yearly physical examination.

Emergency Medical Treatment: All medical emergencies will be given priority treatment.

Dental Clinic: All newly committed inmates will be examined during the A&O process, generally within 14 days of arrival. During this examination, the inmate will be instructed on how to access the Dental Department for oral health care. Those inmates arriving from other institutions having documentation of a dental examination will not be routinely seen. Access to dental care may be obtained by the following means:

1. Sick Call - This is reserved for individuals with acute or emergency dental needs such as pain, swelling, infection, or trauma. Follow the Sick Call sign-up procedures.
2. Inmate Request to a Staff Member (Cop-Out) - Individuals requesting routine dental care (i.e., cleanings, fillings, comprehensive examinations), are to submit a Cop-Out directly to the Dental Department (Note- all Cop-Outs will be responded to as quickly as possible. If an inmate does not receive a response within a reasonable amount of time, they should contact the Dental Department and check to see if it was received).
3. Emergencies - Inmates that experience a dental emergency (pain, swelling, infection or trauma) are to sign-up for the next dental sick call. If an emergency occurs outside of normal working hours, inmates are instructed to notify staff for appropriate evaluation and/or referral.

Pharmacy: The Pharmacists' role is to provide the inmate information and medication to treat his medical concerns. New prescriptions are only written by Medical Staff. Refills must be placed in the "Refill Mailbox" located in the lobby of the Health Services Department, next to the Officer's Station. Refills may be picked up according to the schedule posted on the "Refill Mailbox". If there are no refills remaining, it is the inmate's responsibility to sign up for sick call to have the prescription renewed in adequate time. After hours access to the pharmacy for refills will not be available. Inmates should consult the institution supplement or unit bulletin board for sick call, pill line and prescription pick-up times.

The Pharmacist will provide the inmate with written and/or oral consultation on all new prescriptions. A private consultation regarding an individual's medications, both prescription and over-the-counter (Commissary), is available by sending a Cop-Out to the Chief Pharmacist. The inmate will then be scheduled for a call-out to Pharmacy.

Medications found in an inmate's possession which are expired or otherwise deteriorated; medications which belong to another inmate and/or medications not issued through a BOP pharmacy or Commissary will be confiscated. The inmate may also be subject to disciplinary action.

If an inmate's use of a medication is infrequent, and the inmate notices that it will soon expire, he should return the medication to the Pharmacy for a refill. Failure to follow these steps means the inmate will have to sign-up for sick call to have medication reinstated. Medications issued to an inmate are for **his** medical benefit ONLY. Inmates are **NOT TO SHARE MEDICATIONS** with other inmates. Only medical staff can determine if a prescription medication is appropriate for another inmate's problems.

Refusal of Medical Treatment: Any inmate who refuses medical treatment will be counseled by health services regarding the risks associated with the refusal of treatment. The inmate's counseling session and refusal will be documented on the Refusal of Treatment form and will be signed by the inmate and two witnesses. This form will then be placed in the inmate's medical file as documentation.

HIV: During orientation, inmates will be informed of BOP policies on HIV. The HIV blood test may be requested by an inmate on a voluntary basis, or will be drawn prior to receiving the Measles Mumps Rubella (MMR) vaccine. Inmates will be counseled prior to having this test administered and will be notified and

counseled again upon receipt of the test results.

Eyeglasses: Inmates arriving with eyeglasses may be allowed to bring two pairs into the institution. Inmates arriving with contact lenses should have backup eyeglasses with them. Contact lenses and solutions will be sent home. Eyeglasses will be allowed into the institution. If they did not bring their backup pair of eyeglasses, the inmate must request that they be sent to the institution within 30 days. Contact lens solutions will be provided by the pharmacy for this period ONLY. The inmate must request an authorization to receive outside package at Medical records Open House (Wednesdays @11:30 am, near the clinic) and have it signed off by either the staff Ophthalmologist or the Clinical Director. (This is a one time authorization.) In rare patients, contact lenses are medically necessary. This will be determined by the staff Ophthalmologist after proper evaluation. For inmates requesting eyeglasses, inmates may put in a copout request for eyeglasses checkup (Refraction). If eyeglasses have not been ordered through the BOP within the last 24 months, they are eligible for a pair of eyeglasses paid for by the BOP. They will be given a tentative appointment date and evaluated for the need for eyeglasses. The inmate will be given a choice of eyeglasses frames and may choose either distance only, near only, or bifocals, as appropriate. The inmate may select one pair of frames from those available and eyeglasses will be ordered. It takes about 6-8 weeks to obtain them. They will be on call out for medical records when they arrive. If the inmate only needs readers they are available in the commissary, they will be directed to purchase them at their own expense. Eyeglass repairs will start with a copout directed to the Eye Clinic for further instructions. BOP glasses can sometimes be repaired. Non BOP glasses, if unable to be repaired will require an authorization to send and an authorization to receive package approved by either the staff Ophthalmologist or the Clinical Director. Obtain the forms from Medical records Open House. Outside eyeglasses shipped into the institution will not be allowed unless special circumstances as approved by the staff Ophthalmologist and Clinical director. If approved no tinted lenses, sunglasses, lenses that darken and lighten allowed. No designer frames, decorative frames, sports goggles, or metal frames allowed. The maximum value can not exceed 100 dollars.

Medical Convalescence: Medical convalescence is a recovery period after an operation, injury, or serious illness. It may be prescribed for not less than four (4) days and not to exceed thirty (30) days, subject to renewal. While on convalescence, inmates will be expected to attend educational programs, unless the medical condition limits attendance. Recreation activities will be prohibited.

Medical Idle: An inmate is placed on medical idle no longer than seventy-two (72) hours. Inmates are restricted to their cell or dormitory except for meals, chapel services and visits. Inmates on medical idle **MAY NOT** go to recreation or to the Commissary. They are also excused from class and work assignments.

Restricted Duty Status: Restricted duty status is used in cases where an inmate has some medical restrictions but, unlike medical idle and convalescence, is able to work.

Medication / Pill Line: At pill line, inmates must show their Commissary card to obtain prescription and controlled medications. No medication is given without proper identification. Pill line will be conducted in accordance with the posted hours. Pill line patients will be expected to undergo "mouth check" following consumption of their medication. During "mouth check", inmates are required to expose their tongue and gum lines as a means of ensuring all medications were properly consumed. Inpatient status inmates will receive medication from nursing staff within the Unit. A representative from Health Services will deliver all medication to inmates in the Special Housing Unit and Mental Health Unit.

EMPLOYMENT

Conducting a Business: Inmates are not permitted to engage in a business or profession during their incarceration. Inmates must delegate authority for the operation of any business to a person in the outside community. Pretrial inmates, and those incarcerated for civil contempt, are the only exception to this provision.

Inmate Work Assignments: All work assignments will be made through the Inmate Work Committee. Inmates will be assigned to a work detail as soon as they receive medical clearance and have completed the Institution Admission & Orientation Program. While an inmate's skills and abilities will be considered, most initial work

assignments will be made to meet an institution need as determined by the Inmate Work Committee. Inmates are assigned to work details for a minimum of ninety (90) working days. Upon completion of this mandatory work assignment, the inmate may apply to the Inmate Work Committee for the work detail of his choice. The administration does, however, reserve the right to change an inmate's work assignment due to institutional need or poor work performance. It is mandatory that all inmates have a work assignment, unless medically excused.

Performance Pay Status: If assigned to a regular work assignment, inmates will receive Performance Pay for only the hours worked. Hours worked is defined as hours of satisfactory job performance. Current rates range from a basic maintenance grade of \$5.25 per month up to \$.40 per hour and are subject to change. Performance Pay is credited to an inmate's Trust Fund account monthly, usually within ten (10) working days following the payroll cut-off date on the last day of each month. If an inmate has a question concerning their Performance Pay, he should consult his work supervisor. Inmates who do not participate in the Financial Responsibility Program are restricted to a basic maintenance grade of no more than \$5.25 per month.

SAFETY RULES AND REGULATIONS

1. Inmates are required to exercise care, cooperation and common sense in the performance of their work. Horseplay on the job will not be tolerated.
2. Inmates will perform only that work to which they have been assigned. Unauthorized use of machines or equipment, or performance of work in an area not specifically assigned, is forbidden and subject to disciplinary action. Machines or equipment in the work area shall not be used to fabricate or repair personal items.
3. Operating machinery without the use of safety equipment as provided is forbidden and subject to disciplinary action.
4. Do not adjust, oil, clean, repair, or perform any other maintenance on any machinery while it is in motion.
5. To protect against physical injury and/or health hazards, inmates are required to use all safety equipment such as hard hats, hearing protection, goggles, respirator, aprons, arm guards, wire mesh gloves and safety shoes in designated areas and wear them in the proper manner.
6. Safety goggles must be worn when performing any grinding, chiseling, filing, or sanding operations. Landscape operations involving the operation of weed eaters or edgers also require the use of safety goggles.
7. Vehicle drivers must obey all driving rules of the institution.
8. Do not ride on tractors, forklifts, or any other tow vehicle. The operator is the only person authorized in the use of such machinery.
9. Do not stand in a moving vehicle or attempt to dismount before the vehicle has come to a complete stop. Sit on the seats provided and keep safety chains in place on open-back vehicles.
10. Safety hazards are to be reported to the work supervisors immediately. If the work supervisor does not agree that an unsafe condition exists, the inmate may report the unsafe condition to the Safety Office for further consideration.
11. There is no smoking permitted in the facility.
12. If an inmate is injured while performing their assigned work, no matter how minor it may seem, he should report the injury to his work supervisor. Failure to report a work injury within a maximum of forty-eight (48) hours may result in the forfeiture of lost time, wages, and/or inmate accident compensation.
13. If an inmate suffers a work injury and he feels that the injury has resulted in some degree of physical

impairment, he may file a claim for inmate accident compensation. To do so, the inmate should contact the Safety Manager approximately thirty (30) days prior to his release or transfer to a community program (Example: half-way house, work release facility). The Safety Manager will assist the inmate in completing his claim and will arrange a medical evaluation in regard to his claimed injury.

14. Inmates should use flammable, toxic, and/or caustic materials only as directed. They should ensure adequate ventilation when using such materials.
15. Hairnets and/or beard nets are to be worn at all times when working in Food Service. If staff determines that long hair could result in a work injury, hairnets or caps may be required on any job.

MAINTAINING OUTSIDE CONTACT

Certified/Registered Mail: Return Receipt Requested Cards (green), Certified Mail slips (green/white) and legal-size envelopes are available in the Law Library. Mail should be weighed and may be sent registered, certified, or insured at the inmate's expense. All postage fees are set by the U.S. Postal Service. Services such as Express Mail, private carrier services, Cash on Delivery (COD), or stamp collecting are not permitted.

Correspondence - Incoming: Incoming mail is distributed by the Correctional Officer Monday through Friday immediately following the 4:00 p.m. Official Count. Incoming mail will be opened and inspected for contraband unless it is properly marked as legal mail. (see section on "Special Mail") Incoming mail should be clearly addressed as follows:

Inmate's Committed Name
Register # _____ Unit: _____
Federal Medical Center, Devens
P. O. Box 879
Ayer, MA 01432

Legal Mail is opened and inspected for contraband in the inmate's presence. Receipt of this mail is verified by the inmate's signature in a log book. Certified Mail, unless it meets Legal Mail criteria, is opened in the Mail Room before the inmate receives it.

During Intake Screening, inmates will have completed a form concerning their incoming correspondence. If they choose to receive mail, they agree that institution staff may open and read it. Inmates may elect to have all mail, with the exception of Legal Mail, returned to the U.S. Postal Service.

Effective December 4, 2004, the institutional mail room at FMC Devens will no longer accept funds received from outside the institution. Any funds received after that date will be returned to the sender with specific directions on how to send the funds to the National Lock Box. All funds being sent to inmates at FMC Devens should be sent to the National Lock Box location at the following address:

FEDERAL BUREAU OF PRISON
INSERT NAME
REG. NUMBER
P.O. BOX 474701
DES MOINE, IOWA 50947-0001

Mail received for an inmate after their release date will be forwarded for thirty (30) days to the release address provided.

Correspondence - Outgoing: FMC Devens is an Administrative Facility and, as such, all outgoing mail, except for Special Mail, may not be sealed and will be subject to inspection/screening. The following information must be handwritten in the left-hand corner of all inmate envelopes:

Inmate's Committed Name
Register # _____ Unit: _____
Federal Medical Center, Devens

If an inmate is without sufficient funds to post legal mail, administrative remedy, or appeal forms, a reasonable amount of such mail can be sent at the institution's expense. The inmate's Unit Manager determines indigence and/or the inmate's ability to earn or acquire funds for postage. At such a time that funds become available, the inmate will be responsible for reimbursing the U.S. Government for all postage issued.

Correspondence With Confined Inmates: Correspondence with persons confined in other correctional facilities, including local jails, is restricted to immediate family members and those who are party to an on-going legal action (or witness) in which both parties are involved. Inmates seeking permission to correspond with other confined inmates should meet with a member of their assigned unit team.

Correspondence With News Media Representatives: Inmates may write to representatives of the news media, if specified by name and title. Correspondence from news media representatives will be handled as general mail, including inspection for contraband, content and qualification of the sender as a media correspondent. Inmates may not receive compensation or anything of value for correspondence or interviews with the news media. Inmates may not act as a reporter or publish under a by-line.

Mail For Inmates On Writ or Released: Before an inmate leaves on writ, they will complete a Form BP-Record 398 indicating how they wish their correspondence to be dealt with while on writ. Inmates have the following options:

1. The Mail Room can hold their mail for up to 30 days;
2. Mail can be returned to sender; or
3. Mail can be forwarded to an address of the inmates choice.

Manuscripts: A manuscript includes works of fiction, nonfiction, poetry, lyrics and music, drawings, cartoons, and other writings. Inmates do not need staff approval to prepare a manuscript for private use or publication, but they may use only non-work time in preparation of the material. A manuscript may be mailed as general correspondence. It may not be circulated within the Institution without staff authorization. The Warden may set limits on the amount of accumulated manuscript material to ensure fire prevention and sanitation.

Publications - Incoming: All incoming publications must come from the publisher, with no exceptions. The Ensign Amendment was passed by Congress as part of the Fiscal Year 1997 Omnibus Budget Act. This act prohibits the Bureau of Prisons from distributing commercially published information or material which has sexually explicit pictorials or features nudity. All material received after August 29, 1999, will be returned to the publisher or other sender.

The Warden may reject any publication if the publication:

1. Facilitates criminal activity;
2. Violates institution rules;
3. Contains "sexually explicit" pictorials or "features nudity";
4. Appears to be written in code; or
5. Could encourage physical violence or group disruption.

Material may not be rejected solely because the content is religious, philosophical, political, or social, unless it is found to be disruptive or present a threat or detriment to the security, good order, discipline of the institution or encourage criminal activity. If a publication is found unacceptable, the inmate will be notified in writing along with the reason for the exclusion. The inmate may appeal this decision through the Administrative Remedy process.

Inmates may accumulate only the amount of publications which can be neatly stored in the locker or space provided. This amount should not exceed those outlined in Institution Supplement on "Inmate Personal Property".

Rejection of Correspondence: The Warden may reject either incoming or outgoing correspondence if it does not comply with policy limitations, if it contains material or information which is non-mailable under law or postal regulations, if it contains information of escape plots or plans to commit illegal activities, or if it concerns the

direction of a business by an inmate. This does not prohibit correspondence necessary to protect property or funds that were legitimately an inmate's at the time of their commitment.

The sender of rejected mail will receive a written notice of the reason for rejection and may appeal this decision. The inmates' rejected outgoing mail is returned to him by unit staff with an explanation of why it was rejected. Inmates may also appeal these issues.

Special Mail: Outgoing Special Mail is placed in the mail box directly in front of Food Service. Daily pick up of this mail occurs in the morning. Special Mail includes mail sent to and received from:

President and Vice President of the United States (No special mail marking required)
United States Attorney General's Office
Surgeon General and U.S. Public Health Service
Secretary of the Armed Forces
____ U.S. Congressional Members (No special mail marking required)
U.S. and State Courts
State Attorneys General
U.S. and State Probation Officers
Embassies and Consulates
U.S. Magistrate or Chamber of the Judge (No special mail marking required)
State and Territorial Governors
Directors of the State Departments of Corrections
State Parole Commissioners
State Legislators
Federal and State Law Enforcement Officers
Attorneys
U.S. Attorneys
U.S. Department of Justice and Bureau of Prisons (Special mail when sent out only)
Representatives of the News Media (Special mail when sent out only)

For incoming correspondence to be processed under the special mail procedures, the sender must be adequately identified on the envelope, and the front of the envelope must be marked "Special Mail-Open only in the presence of the inmate." Exceptions being those items identified above.

If inmates send mail to U.S. Department of Justice (including BOP) it is considered "Special Mail." If an inmate receives mail from U.S. Department of Justice (including BOP) and news media representatives, it is not considered "Special Mail."

Correspondence to and from all attorney's will be handled as special mail only if it is properly marked. The envelope must contain the name and address of the attorney and an indication that the sender of incoming mail is an attorney. Incoming letters must be clearly marked "**LEGAL MAIL--OPEN ONLY IN THE PRESENCE OF THE INMATE.**" The enclosed documents must also meet the criteria for Legal Mail. It is the inmate's responsibility to advise his attorney of this special marking requirement.

In the absence of either adequate identification on the "Special Mail" marking appearing on the envelope, staff will treat the mail as general correspondence and open, inspect and read the mail. Special correspondence to a paralegal, legal aide student or attorney's assistant must be addressed to the attorney, legal aide supervisor or legal organization and directed to the attention of the student or assistant. Mail received from students or assistants must be identified on the envelope as being from the attorney or agency supervisor.

SPECIAL MAIL NOTICE



To The Inmate:

It is suggested you provide this instruction sheet for special mail privileges to your attorney(s) who is representing you at the earliest opportunity, when you write to or visit with your attorney(s).

To the Attorney:

The Bureau of Prisons Program Statement on Correspondence provides the opportunity for an attorney who is representing an inmate to request that attorney-client correspondence be opened only in the presence of the inmate. For this to occur, Bureau policy requires that you adequately identify yourself as an attorney on the envelope and that the front of the envelope be marked "Special Mail - Open Only in the Presence of the Inmate" or with similar language clearly indicating that your correspondence qualifies as special mail and that you are requesting that this correspondence be opened only in the presence of the inmate. Provided the correspondence has this marking, Bureau staff will open the mail only in the inmate's presence for inspection for physical contraband and the qualification of any enclosure as special mail. The correspondence will not be read or copied if these procedures are followed. If your correspondence does not contain the required identification that you are an attorney, a statement that your correspondence qualifies as special mail, and a request that the correspondence be opened only in the presence of the inmate, staff may treat the mail as general correspondence and may open, inspect, and read the mail.

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Packages: Any item received in a package which cannot be readily inspected for contraband must be returned to sender at the inmate's expense. All items must be received in one package. Unauthorized materials in a package shall be mailed out at the inmate's expense, donated, or destroyed. If the unauthorized items are to be mailed out, the inmate must provide the required postage within thirty (30) days from the date confiscated or the property will be disposed of. The weight limit on any package is forty (40) pounds. When property received in packages is determined to be unclean and a potential sanitation hazard, it may be rejected.

Incoming Personal Property: Packages are issued through the R&D Staff. The number and size of allowed packages are in accordance with the Institution Supplement on Inmate Personal Property, a copy of which is given to all inmates during Orientation. Only authorized items are issued to inmates.

Inmates are authorized to receive release clothing from home 30 days prior to their release date. This box will be clothing only and will be stored in R&D until their release. Authorization To Receive Package or Property forms are available from Unit Staff. This authorization form must be approved by the Unit Manager. After approval, appropriate copies are sent to the mail room by unit staff.

Reading Materials: All reading material must come directly from the publisher, or they will not be allowed into the facility.

Prescription Items: Supplies and prosthesis require approval of the Medical Staff. Prescription eyeglasses and dentures must also have approval of Medical Staff.

Outgoing Personal Property: Outgoing packages, other than those sent for the convenience of the institution, will be sent at the inmates' expense. Inmate packages sent by administrative authorization will not be insured. Claims or losses on such packages should be filed as tort claims. Excess and unauthorized property, other than hard contraband, may be mailed from the institution at the inmate's expense or donated. It is not to be given to another inmate. Property to be donated may be turned over to a charity organization.

INMATE TELEPHONE SYSTEM (ITS II)

Telephones for inmate use are located in each housing unit. All telephone calls must be made from the inmates' assigned housing unit. **All inmate telephones are monitored and subject to recording.**

Currently, inmate telephone calls are limited to 300 minutes per calendar month except for the months of November and December, these months will each have 400 minutes provided. This limitation applies to all inmates with an ITS-II account in BOP institutions, and may be used for any combination of collect or direct-dial calls at the inmate's discretion. Inmates are not authorized to share telephone access numbers or use access numbers assigned to another inmates account. Three way calling, conference calling and call forwarding are prohibited. Violation of these regulations will result in disciplinary action and/or loss of telephone privileges.

Telephones are regularly available for inmate use seven days a week; however, their availability and usage are subject to guidelines established at the local and national level. Inmates are strongly encouraged to review the local procedures are posted on the unit bulletin boards to avoid violations and possible disciplinary action.

This limitation is needed to maintain the security and good order of BOP institutions and to protect the public by increasing the Bureau's ability to minimize inmate abuses of the telephone for illegal or disruptive purposes. The Bureau believes a 300 minute limitation in conjunction with visiting and correspondence, provides adequate opportunity for inmates to maintain community ties.

Inmates who exhaust their 300 minutes may, at the Warden's discretion, be provided a telephone call if good cause is shown. This exception will be used sparingly and is reserved for bona fide emergencies. Inmates may request to make an unmonitored legal telephone call. However, approval of an unmonitored legal call is contingent on the inmate's ability to demonstrate that other means of communication (ie: letters, legal visits, etc) are unavailable and/or insufficient to meet a verified imminent court deadline.

To establish an authorized telephone list or to add and/or delete a telephone number from an existing list of

authorized telephone numbers, inmate must submit a Telephone Number Request Form (BP-S505.52). All lists must be processed through the unit team. This is the only acceptable means for entry into the system. Telephone numbers will be entered into the inmate's phone account within five (5) business days from the date that the list is delivered by the Unit Team to the ITS Technician, excluding the day of receipt . Inmates who are newly committed to the BOP will ordinarily have their initial list processed within two (2) days, once unit team notifies Trust Fund staff. Inmates may submit phone lists once a month. Telephone lists that are not processed through the Unit Team and lists that are incomplete and/or illegible will be returned to the inmate. Inmates who have questions regarding the inmate telephone system contact the ITS Technician or a member of their assigned unit team.

Consent to Monitoring. Inmates must consent to have all incoming and outgoing electronic messages monitored, read, and retained by Bureau staff.

Inmates and community persons utilizing TRULINCS voluntarily consent to the monitoring of all message contents and other activities conducted using TRULINCS.

Each inmate's participation in TRULINCS is conditioned on his/her understanding and voluntary consent to the CEO's authority as indicated above. Each inmate participant's understanding and voluntary consent to this condition must be documented by executing the Inmate Agreement for Participation in TRULINCS Electronic Messaging Program Form (BP-0934). Community persons' consent to Bureau staff monitoring of all TRULINCS messages and activity is obtained when the community person accepts the initial system-generated message notifying them the inmate wants to add them to their contact list and each subsequent message(s) from inmate participants.

As a reminder to inmates, the following warning banner will appear every time the inmate participant accesses the system:

NOTICE - CONSENT TO MONITORING - WARNING

You are entering the Bureau of Prisons' Trust Fund Limited Inmate Communication System (TRULINCS). By accessing this system, you consent to the monitoring of all messages sent and/or received. You are only authorized to use TRULINCS to communicate directly with those persons on your approved TRULINCS contact list. You are not authorized to send messages to e-mail distribution centers. You agree to provide accurate and complete information for all persons on your TRULINCS contact list, including the person's name, address, and telephone number. If you use TRULINCS and violate any laws or Bureau of Prisons' policy, you are subject to inmate disciplinary action and/or criminal prosecution.

Inmate participants accept this provisional statement each time they access the system by entering their register number and personal access code to

gain access to TRULINCS.

Use of the TRULINCS program is a privilege; therefore, the Warden or an authorized representative may limit or deny the privilege of a particular inmate.

Individual inmates may be excluded from TRULINCS program participation as part of classification procedures.

User Fees. Inmates will be charged \$.05 per minute/TRU-Units user fee for TRULINCS service. There will be no charge to check for new messages received since their previous session. Inmates will be required to purchase minutes/TRU-Units or of session time using TRULINCS. Inmates must purchase time in the following minute/TRU-Unit increments; 40, 100, 200, 300, and 600. The TRULINCS program will not be available to inmates without funds to purchase the minimum increment of minutes.

Inmates may elect to print their messages using the specially designated print stations. Inmates will be charged three minutes (\$.15) per each printed page. Multiple page messages will be printed front and back (duplexed) and count as two pages per sheet of paper.

Example: A two page message will be printed front and back on one sheet of paper and cost six TRU-Units (\$.30).

d. **Refunds.** Inmates shall not be allowed refunds except in the following circumstances:

- (1) Inmates are released.
- (2) Inmates on TRULINCS restriction for more than ten days request in writing that their balance be returned to their Commissary account. This is a one time transaction for the entire balance.
- (3) Minute refunds granted by the Trust Fund Supervisor as a result of system malfunctions. Refunds for printer malfunctions shall be in the form of a reprint.
- (4) In rare or unusual instances as deemed appropriate by the CEO. In these circumstances, Trust Fund staff will be provided written documentation to support the transfer. This is a one time transaction for the entire balance.

e. **Hours of Operation.** Ordinarily, the hours of operation will be from 6:00 am until 9:45 pm daily.

SYSTEM/MESSAGE CONTROLS

a. The maximum number of consecutive minutes an inmate may use a mail station (session time) is 30 minutes. The interval between sessions is 30 minutes.

b. Inmates may only have 30 active contacts on their contact list.

c. Messages may not contain attachments.

d. Messages may not exceed 13,000 characters.

e. Inmate to inmate communication may be allowed after the appropriate approval has been granted.

f. Inmates will be able to access their incoming, outgoing, draft, deleted, and rejected messages for 10 days. Messages 20 days old will automatically be purged by the system.

g. After three consecutive failed attempts to access the system, the inmate's account will be locked and the System Administrator must unlock the account. Inmates must request in writing to the Trust Fund Supervisor that their account be unlocked.

ELECTRONIC MESSAGING PROCEDURES. Inmates and persons in the community may exchange electronic messages in the following manner:

a. **An inmate requests to exchange electronic messages with a person in the community by** placing that person on the inmate's electronic message contact list. If staff approve the inmate's request to exchange electronic messages with a particular person in the community, the system generates a message to that person.

b. **Notice.** Upon receiving the system generated message, the person in the community will be notified that:

(1) The federal prisoner identified seeks to add the person in the community to his/her approved electronic message contact list; and

(2) The person in the community may approve the inmate for electronic message exchanges, refuse the request for electronic message exchanges, or refuse the current and all future federal prisoners' requests for electronic message exchanges.

A sample notice follows.

This is a system generated message informing you that the above-named person is a federal prisoner who seeks to add you to his/her contact list for exchanging electronic messages. There is no message from the prisoner.

You have **only** the following options in response to this message.

- * You may APPROVE this prisoner for message exchanges by clicking here and then clicking the Send button;
- * You may REFUSE this specific prisoner's request for message exchanges by clicking here and then clicking the Send button; or
- * You may REFUSE this and all future federal prisoners' requests for message exchanges by clicking here and then clicking the Send button.

Any additional response will not be delivered to the prisoner or the Federal Bureau of Prisons.

By approving this transaction, you consent to have Bureau of Prisons staff monitor the content of all electronic messages exchanged.

Once you have been approved by the Bureau of Prisons to correspond with the prisoner, the prisoner will be notified and must initiate messaging.

c. **Consent.** If the person in the community consents to receive electronic messages, that person will be added to the inmate's electronic message contact list. The person in the community will be notified that by approving, he/she consents to have Bureau staff monitor the content of all electronic messages, and agrees to comply with all Program rules and procedures.

d. **Later Notices.** Every subsequent electronic message to a person in the community on the inmate's electronic message contact list will allow the person in the community to take no action, in which case the person will remain on the inmate's electronic message contact list, remove himself/herself from this inmate's electronic message contact list for all future exchanges, or remove himself/herself from all federal prisoners' electronic message contact lists for all future exchanges.

A sample notice follows.

This message informs you that the above-named person is a federal prisoner who you previously APPROVED for exchanging electronic messages.

You have the following options in response to this message:

- * You may TAKE NO ACTION, which will result in your remaining on this prisoner's contact list;
- * You may REMOVE yourself from this specific prisoner's contact list by clicking here and then clicking the Send button; or
- * You may REMOVE yourself from this specific prisoner's contact list and REFUSE all future federal prisoners' requests for message exchanges by clicking here and then clicking the Send button.

By taking no action, you consent to have Bureau of Prisons staff monitor the content of all electronic messages exchanged.

Your messages may not exceed 13,000 characters (approximately two pages) or have any attachments. If you exceed the 13,000 character limit, your entire message will be rejected. If you send an attachment with your message, the attachment will be stripped from your message and not delivered to the prisoner.

10. REJECTION OF ELECTRONIC MESSAGES

a. **Reasons for Rejection.** Electronic messages may be rejected for reasons which include, but are not limited to, the following:

(1) The content of the electronic message jeopardizes the safety, security, or orderly operation of the correctional facility, or the protection of the public; or

(2) The electronic message otherwise violates the established parameters of the Program.

Electronic messages which may be rejected by a CEO include, but are not limited to, electronic messages which contain any of the following:

- ◆ Messages which cannot be transmitted under law;
- ◆ Messages which depict, describe, or encourage activities which may lead to the use of physical violence or group disruption;
- ◆ Information of escape plots, or plans to commit illegal activities, or to violate Bureau rules or institution guidelines;
- ◆ Direction of an inmate's business, unless the inmate is a pre-trial detainee;

- ◆ Threats, extortion, obscenity or gratuitous profanity;
- ◆ A code; or
- ◆ Sexually explicit material which by its nature or content poses a threat to an individual's personal safety or security or to institution good order.

b. **Notification of Rejection.** When an electronic message is rejected, the sender will be notified that his/her electronic message will not be delivered and the reason(s) for the rejection. The intended recipient will not be informed of the rejection.

Inmate Discipline/Criminal Prosecution. Inmates who abuse, circumvent, or tamper with the TRULINCS Program (i.e., equipment, application, furniture) or violate the Program procedures may receive disciplinary action and/or criminal prosecution.

VISITING

Procedures / Policy: It is the policy of the BOP and FMC Devens that visiting privileges should be an integral part of an inmate's institutional program; however, the number of visitors must be kept within reasonable limits due to space limitations. There is a limit of five visitors per person (including children) at one time unless prior approval is received from unit staff. When the established capacity has been reached, termination of visits will be determined by frequency of visits and distance traveled.

In order to allow all inmates to receive visits in a fair and equitable manner, a point system has been established. Inmates will be given 12 points for each month in the calendar year. Inmates will not be charged any points for visiting on Fridays. Two (2) points will be charged for each visit occurring on a weekend or holiday. Once an inmate exhausts his points for the month, he may not receive a visit for the remainder of that month without prior staff approval. Please see the unit bulletin board for approved visiting days and times.

Approval of Visitors: Inmates are given a Visiting List form to complete and return to unit staff. Verified immediate family members will usually be approved promptly. Immediate family members include father, mother, step-parents, sisters, brothers, wife, children, and grand parents who raised you. Children under the age of sixteen do not have to be on an approved list but must be accompanied by an approved adult. Visiting Lists may include up to ten (10) other family members and friends. Inmates may make changes to their Visiting List at team meetings. Questionnaires are mailed out and must be completed, returned, and reviewed before these persons can be added to an inmate's approved Visiting List. This process takes approximately three (3) weeks. Inmates are notified of each visitor's approval by their Unit Counselor. **It is the inmate's responsibility to ensure that all visitors are notified of visiting approval. Visitors not on approved list will be denied entrance.** Inmates should see their Unit Counselor for any updates needed to their Visiting List.

Attorney Visits: Inmates are required to arrange for legal visits during visiting days, only for exigent circumstances will non-visiting legal visits be arranged. **It should also be noted that attorneys should contact the unit team 72 hours prior to a legal appointment. This action will allow for unit team to secure the necessary identifications and paperwork.** Attorney visits generally take place in the Visiting Room during regular visiting hours. If the Visiting Room is filled to capacity, the unit team may make arrangements for an attorney visit on other non-visiting days. Inmates arrange with the unit team to have a reasonable amount of legal materials taken to or from the Visiting Room. All inmates are reminded that attorneys are not permitted to bring any recording devices into the facility without prior written authorization by the Warden.

General Visiting Information: Effective January 5, 2009, the visiting room is open on Friday, Saturday and Sunday and Federal holidays, between the hours of 8:30 am and 3:00 pm. Kissing, embracing and hand-shaking/holding are allowed only upon arrival or departure. Displays of affection must be within the bounds of good taste. Excessive physical contact during the visit is prohibited. Both inmates and their visitor(s) must be appropriately dressed. All inmates will be dressed in their issued uniform and visitors should not be dressed in clothing of a suggestive or revealing nature. Inmates are responsible for the conduct of the children visiting them. **Inmate visitors will not be allowed to sit on inmate's laps, this includes children and infants.**

You may take the following items to the Visiting Room:

Commissary Card (required for identification);

Wedding band. This item will be inventoried when you enter the Visiting Room and again when you leave;

Comb, prescription eyeglasses, religious medal and medication.

Visitors are permitted to bring money, tissues, diapers, and a baby bottle into the Visiting Room. Visitors will be checked with a metal detector and may be asked to submit to further search. Purses, briefcases, etc. will be checked. Visitors may not leave packages, gifts, or money for an inmate, nor may visitors receive items from any inmate. All monies must be mailed in to the inmates. No items may be exchanged with visitors. An inmate's visiting privileges may be denied or restricted for violation of Visiting Room regulations. All visitor's will be subject to screening through a metal detector, x-ray, ion scanner and will be regularly pat searched.

Federal law authorizes imprisonment of up to ten (10) years for any person who introduces contraband into a federal facility or who takes, sends, or attempts to take or send anything not specifically authorized from a federal facility.

Emergency visits: An inmate may request a special emergency visit based upon extenuating family circumstances. He shall explain the nature of the emergency to unit team, and will put the request in writing via a Request to a Staff Member. The unit team will assess the legitimacy of the emergency and make a recommendation to the Warden.

Identification of Visitors: A valid form of photo identification is required by all visitors. Visitors possessing a valid driver's license (with photo), a valid state identification card or passport will be sufficient for entry to the facility. The visitors identification should match the identifying information (i.e., name, date of birth, etc.) contained on the inmate's approved Visiting List.

Visits with News Media Representatives: Requests can be initiated by an inmate or the media representative and must allow a reasonable amount of time before the interview. To request a news media interview, an inmate must send a cop-out to the Executive Assistant for review. Final approval of all interview requests must come from the Warden. Inmates will be notified of each interview request and must sign a written consent before each interview. Inmates must also authorize staff to respond to comments made in the interview and to release information to the news media relative to the inmate's comments.

MONEY AND COMMISSARY

Account Information: An account is established for each inmate with their committed name and register number. An Inmate Account Card ("Commissary Card") is issued to all inmates. This card must be presented when shopping at the Commissary Sales Unit. An inmate account will reflect all deposits and withdrawals.

Deposits to Commissary Account: Effective December 4, 2004, the Mail Room will no longer process deposits to an inmate's account from outside sources. All checks or money orders must be made out and sent to:

FEDERAL BUREAU OF PRISON
NAME
REG. NO.
P.O. BOX 47401
DES MOINE, IOWA 50947-001

Inform your family members to include the inmate's committed name with their register number. The only other form of money order accepted at the facility is Western Union. These money orders will be deposited to the inmate's account without any delay. Inmates who voluntarily self surrender will be allowed to have their monies receipted and deposited into their institutional commissary account. These are the only instances allowed for internal deposits into an inmates' commissary account.

Withdrawals from Commissary Account: Funds can be withdrawn from an inmate's account and mailed to persons in the community to contribute to child support, purchase subscriptions, or for authorized expenditures. To request a commissary account withdrawal, an inmate must complete a Form 505.25 and forward it with any

accompanying documents to the Business Office via his assigned Unit Team for processing. The money will be withdrawn from the account and a government check, payable to the inmate's designee, will be issued from the U.S. Treasury Department's disbursing office in Washington, D.C. The procedure takes two to four weeks from the day the form is forwarded. Funds cannot be sent to another penal institution without prior approval of both Wardens.

Commissary Sales Unit: Shopping hours are posted on the Commissary bulletin board. Shopping lists with prices, subject to change, are available at Commissary. These lists are completed prior to shopping and verbal orders are not accepted after an inmate's list is turned in. Only one shopping time is permitted on any shopping day. Giving, exchanging, or borrowing Commissary items from anyone is not permitted. If there are any questions concerning balance or an error in their billing, make inquiries at Commissary Open House and have sales and/or deposit receipts to document the problem. It is the inmates responsibility to maintain all records and receipts of Commissary transactions.

Spending Limits: The institution will determine the maximum amount an inmate may spend each month for regular purchases. The Commissary sales receipt will show the inmate's account balance and the balance on his monthly spending limit. Postage stamps are excluded from the monthly spending limit. Ordinarily, inmates may not have more than sixty (60) postage stamps (of the denomination for 1st class, domestic, one ounce mailing), unless approval from the Associate Warden or a person of equivalent level has been given. This authority may not be delegated below the Unit Manager level. Overspending or signing for withdrawal of funds when the inmate has insufficient funds may result in disciplinary action and/or loss of Commissary privileges.

INSTITUTION PROGRAMS

PSYCHOLOGY DEPARTMENT

Suicide Prevention: It is not uncommon for people to experience depression and hopelessness while in jail or prison, particularly if they are newly incarcerated, are serving a long sentence, are experiencing family problems, are having problems getting along with other inmates, and/or receive bad news. Sometimes, inmates consider committing suicide due to all the pressure they are under. Staff are trained to monitor inmates for signs of suicidality, and are trained to refer all concerns to the Psychology Department. However, staff do not always see what inmates see. If you are personally experiencing any of the problems noted above, or you observe another inmate showing signs of depression (sadness, tearfulness, lack of enjoyment in usual activities), withdrawal (staying away from others, reducing phone calls and/or visits), or hopelessness (giving away possessions, stating that "there is nothing to live for"), please alert a staff member right away. Your input can save a life.

Sex Offender Management Program: The Psychology Department coordinates a Sex Offender Management Program (SOMP). The SOMP is a mandatory program designed to help sex offenders manage their sexual behavior and reduce sexual recidivism. An important goal of this program is to help sex offenders change their criminal lifestyle and become honest, responsible, law abiding citizens with effective self control skills. SOMP participants have the same rights and responsibilities as other inmates at FMC Devens, including the right to personal safety, and to being treated respectfully, impartially, and fairly. Thus, disciplinary action will be taken against any inmate who harasses, threatens, or otherwise harms a sex offender, or any other inmate. As is the case with all inmates at FMC Devens, SOMP participants are expected to comply with all the rules and regulations governing inmate conduct as defined by the Federal Bureau of Prisons. Any inmate who engages in sexual misconduct at FMC Devens will be subject to disciplinary action.

Drug Treatment Programs: The Psychology Department offers the Non-Residential Drug Treatment, 40 Hour Drug Education program. The program is supplemented with various ongoing self help programs (i.e., Narcotics Anonymous, Alcoholics Anonymous). Those inmates who fail to attend required drug education classes will be restricted to a Pay Grade 4 and are not eligible for placement in a Community Correction Center (Halfway House). The general goal of these programs is to provide the inmate with alternative ways to resolve problems.

Counseling: The Psychology Department offers self-development programs in both group and individual counseling. Group counseling gives you an opportunity to interact with others, to share concerns and to draw upon their experiences and suggestions in finding alternative ways to solve problems. Group and individual counseling utilize a variety of methods, depending on the problem under consideration. Counseling can help inmates gain

greater self-awareness, more effectively manage symptoms of depression, anxiety, and other mental disorders. and develop more responsible decision making. Inmates interested in Self-Development Programs should see a member of their assigned Unit Team, or see a staff member in the Education Department, Psychology Department or Health Services Department for details and/ or appropriate referral.

Smoking Cessation Program: In accordance with National policy, Federal Medical Center Devens offers a Smoking Cessation Program for all inmates who qualify for the program. Any inmate may fill out a cop out and forward it to the Health Services Psychologist. The request will be reviewed for appropriateness for the program. The program will consist of classes on Nutrition, Physical Activity, Stress Management and Nicotine Replacement Therapy. There will be approximately four classes scheduled during the year. Each class will run twelve weeks in duration, that is 1.5 hours of class time per week. Class times will be flexible to accommodate school and work schedules.

EDUCATION & RECREATION DEPARTMENT

Education and Recreation operate under the philosophy that academic/vocational training and recreational programs can provide necessary skills and resources for self-improvement, academic and occupational training, preparation for future employment and positive health and life experiences.

All programs are voluntary except for General Equivalency Diploma (GED) and English as a Second Language (ESL). An inmate who does not have a verified high school diploma, or GED, will be required to attend classes for 240 hours, or until he successfully completes the GED. For an inmate who cannot function effectively in English, mandatory attendance in ESL will be required.

Failure to participate in required basic education classes may result in such adverse consequences as loss of Good Conduct Time and pay grade restrictions. Inmates who enter the system with a **VCCLEA** or **PLRA sentence**, who do not have their GED, may not vest good time, and in some cases may earn less good time if they do not maintain satisfactory participation in the Literacy Program. Inmates should consult a representative from the Education Department prior to declining participation. A representative from the Education Department will meet with each inmate at his official team classification.

The Education Department provides a wide range of academic programs. Programs currently offered are:

- Adult Continuing Education (ACE)
- Literacy (grades 0-5)
- PREGED (grades 6-9)
- GED (grades 10-12)
- English-As-A-Second Language (ESL)
- Leisure (music, art, chess, bridge)
- Post Secondary Education (via correspondence courses)
- Parenting
- Release Preparation
- Health/Fitness
- Vocational Trades (Building Trades, Computer Applications)

Incentives: Certificates are awarded for completion of all courses. Promotions and Performance Pay assignments beyond the entry level grade (pay grade 4) are contingent upon successful completion of the GED and/or continued satisfactory progress and good effort towards completion of the GED program. Special classes are offered in high interest areas and on an as-needed basis. Incentives include a cash bonus upon completion of the GED and ESL programs, and participation in award and recognition ceremonies. An Education Representative will meet with inmates to plan their course enrollment needs.

Testing: All new commitments are interviewed by a member of the Education Department to determine educational needs and subsequent need for mandatory testing. Tests administered include:

ABLE/TABE, Pre-GED, GED, CASAS (ESL), SABE

Test scores are used to determine eligibility for various programs offered in the Education Department. If an inmate does not have a verified high school diploma or General Education diploma (GED), the inmate will be required to attend the adult literacy program and fulfill the minimum requirements outlined in policy.

Vocational Trades (VT) Programs: The purpose of Vocational Trade (VT) Programs is to teach skills which complement an inmate's basic education. All inmates interested in these programs must have satisfactorily completed their GED or be actively enrolled in the GED program and making satisfactory progress. Inmates who participate in VT Programs may be eligible for a variety of incentive awards, certificates and graduation activities. Inmates with a documented history of computer abuse (such as having used computers to commit a crime) will not be allowed to participate in the Computer Applications program. Currently, there are two types of VT Programs available, Business Applications and Building Trades.

Parenting Program: The Parenting Program is provided by staff and is designed for any father who wishes to remain an integral part of his child's life while he is incarcerated. The Parenting Program provides solutions to issues women and children encounter when fathers are incarcerated. It teaches inmates good coping skills, how to interpret children's behavior, how to administer positive discipline and how to give direction from a distance. It stresses the importance of developing healthy relationships with family as well as inmates acting as caretakers of the children. Most importantly, inmates will learn how to practice, demonstrate and apply what is learned with their children.

Library (Leisure and Law): The leisure and law library is open weekdays from 8:30am until 10:30am; 12:30pm until 3:30pm; and 5:30pm until 8:30pm. On weekends the main library will be open from 7:30 am until 3:30pm. A satellite leisure library in the Recreation Department is available every week night and weekend evening from 5:30pm until 8:30pm. The main library contains both legal and leisure materials. It contains legal materials which include the U.S. Annotated volumes, Federal Reporter, Supreme Court Reporter, BOP Program Statements, local Institution Supplements, indexes, and other legal materials for inmate reference. Magazines, newspapers and basic reference books cannot be checked out or removed from the library. Typewriters are available for inmate use in preparing legal documents. All legal reference materials must be used in the library and cannot be checked out. Inmates are provided a copy machine which operates via a card purchased in the Commissary. Inmates also have the opportunity to participate in the Inter-Library Loan program through the North Central Regional Library System.

Release Preparation Program: The Release Preparation Program (RPP) is designed to help inmates prepare for transition from confinement to the community. Inmates participating in the program are expected to complete at least one course from each of the six core content areas. The core content areas are: Health/Nutrition, Employment, Personal Finances, Community Resources, Release Issues, and Personal Growth and Development. Formal participation in the program should begin no later than 30 months prior to an inmate's expected release date. Contact the Supervisor of Education for more information.

Recreation Services: Recreation Department programs and leisure activities are supervised by the Recreation Specialists. Programs include indoor and outdoor activities and range from individualized hobby craft programs to intramural team sports. All recreational information will be posted on the bulletin boards in the Recreation Department, in the Education Department and in the Housing Units.

Inmate Recreation and Activity Center: The Inmate Recreation and Activity Center is located across from Unit "G" and is adjacent to the Recreation Yard. The facility includes a multi-purpose room, outdoor recreation yard and an indoor inmate Activity Center. The indoor Activity Center is located on the Recreation yard and is intended for activities such as basketball, soccer and floor hockey.

The Hobby Craft Shop and a music practice room is located in the Education Building. See posted schedules for days and times of operation.

RELIGIOUS SERVICES

The Chapel: The Chapel comprises facilities for worship services, prayer and religious study areas, and a religious library. The Religious Services Department is located in offices adjacent to the Chapel. Religious programming includes worship, prayer and study of various religious expressions, as well as counseling and spiritual guidance. Schedules of religious services are available in the Chapel. Attendance at religious activities is open to all. Periodically, the department arranges for community volunteers of various religious faiths. The Chaplain will assist inmates in having religious books, publications, or other materials sent to them; however, inmates must comply fully with institution rules regarding receiving and storing of personal property.

Religious Diet Program: A Religious Diet Program is offered through the Religious Services Department in

conjunction with the Food Service Department. A religious diet is a meal designed to be the most equitable for all religious groups. An inmate may request to participate in the Religious Diet Program by submitting an application to the Chaplain. Special religious meals for holiday observances and any special worship activities are coordinated through Religious Services. Additional information regarding these programs is available in the Religious Services Department.

Prisoner Visitation & Support Services (PVS): The Prisoner Visitation & Support Services (PVS) is a community based program which sends volunteers into the institution to visit inmates who would not ordinarily receive visits. All visits take place in the Visiting Room during regular visiting hours. PVS volunteers do not have to be on the visiting list of inmates they wish to visit. Any inmate interested in receiving a PVS volunteer visit should contact the Religious Services Department.

Religious Counseling: Counseling services are available regularly to promote inmate spiritual growth and to discuss a wide range of special religious needs. A Chaplain may be called in times of crisis, such as the death or illness of an inmate's family member.

Marriage: Inmates wishing to get married while incarcerated must first discuss their wish to get married with members of his assigned Unit Team and/or the Chaplain. All expenses of the marriage will be paid by the inmate. U.S. Government funds may not be used for marriage expenses. Marriage procedures at this facility are outlined in the Institution Supplement regarding "Marriage of Inmates."

PUBLIC INFORMATION, CENTRAL FILES & FREEDOM OF INFORMATION ACT

Freedom of Information Act Request (FOIA): The Privacy Act of 1974 provides for an individual's access to their records. All formal requests by persons for access to records about another person or any agency record other than records pertaining to themselves shall be processed through the FOIA.

Access to Files: An inmate may request to review the portions of his Inmate Central File that may be disclosed to him. Institution staff will permit an inmate to review his Central File under locally established procedures. Inmates may also request copies of documents in their Inmate Central File. Inmates requesting to review their Central File and/or copies of Central File documents should see their assigned Case Manager. An inmate may request access to Non-Disclosed Documents in his Inmate Central File and Medical File, or other documents concerning him that are not in his files, by submitting a FOIA/PA Request to the Director of the Bureau of Prisons.

Privacy Act of 1974: The Privacy Act of 1974 forbids the release of information from agency records without a written request or without the prior written consent of the individual to whom the record pertains, except in specific instances. Such instances include employees of the Department of Justice, Law Enforcement Agencies, FOIA/PA Releases, members of Congress, court orders, etc.

Attorney Inquiries: Attorneys often request information concerning institutional adjustment when preparing motions for a court such as sentence modification petitions. Unless the inmate signs a release of information authorizing us to respond to such inquiries, we are unable to do so. Case Managers have release of information forms available for the inmate's signature.

Public Information Disclosure: As a rule, the information contained on an inmate's sentence computation sheet is public information and can be disclosed to anyone. These may include welfare departments who are usually required to periodically verify their incarceration, available funds, eligibility for work release, etc., in order to continue benefits to dependents.

Copies of Legal Documents: Necessary copies of legal documents may be made in the Law Library.

RELEASE

Personal Property - Disposition: If an inmate is being transported by the U.S. Marshal Service, they are not permitted to take any property. Legal material pertaining to their case will be allowed at the discretion of the transporting U.S. Marshal. All inmate personal property will be inventoried in their presence and locked in the designated R&D location in the institution until the inmate returns. If an inmate is being released to the

Immigration & Naturalization Service, their property will be transferred with them. Inmates are **NOT** to leave their property with another inmate. Any property found in an inmates possession or room will be considered theirs, and may be considered contraband, leading to confiscation. It is an infraction of institution rules to borrow, lend, sell, or give away personal property.

Residential Re-entry Center (“Halfway House”): The purpose of a Residential Re-entry Center (RRC) is to provide inmates a positive transition from the institution to a community based correctional setting and to final release. The length of stay in a center is determined by individual needs, availability of services in conjunction with institutional adjustment and instant offense behavior. Placement in a RRC facility will generally depend on the inmates’ program participation , length of sentence and his instant offense .

If an inmate has forfeited good time, they cannot be considered for transfer to an RR C without approval of the Warden. In order to be eligible for RRC placement, the inmate must have paid, or be making commensurate payments towards, their court imposed financial obligations. Inmates who are refusing to participate in the Financial Responsibility Program are not eligible to participate in a RRC for any length of time. Additionally, inmates who demonstrate poor institutional adjustment may be ineligible to receive RRC placement.

Expiration of Sentence: If released by way of expiration of sentence, there is no supervision requirement unless the court imposed probation or special parole as part of the inmate’s sentence.

Fines and Costs: In addition to jail time, the court may impose a committed or non-committed fine and/or costs. Committed fines mean that the inmate will stay in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC 3569. Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payment for a non-committed fine or cost is not required for release from prison or transfer to a contract CCC provided that the inmate has a record of participation in the Financial Responsibility Program during incarceration.

Mandatory Release: If released on mandatory release, the inmate will be under supervision until six (6) months (180 days) before their full-term release date. The U.S. Probation Officer will approve the inmate’s release plan; this should be done before the inmate leaves the institution.

Release to Parole: If released on parole, the inmate must have a release plan approved by the U.S. Probation Officer (USPO) before the Parole Commission will issue a Parole Certificate. This includes a place of residence and an offer of employment or other legitimate source of support. Inmates will be under parole supervision until their full-term expiration date.

DETAINERS:

BUREAU of IMMIGRATION and CUSTOMS ENFORCEMENT (BICE): If an inmate was born in another country and is not a naturalized U.S. citizen, the BICE will most likely file a detainer. This does not mean they will automatically deport the inmate, but it does indicate that they have begun an investigation into his immigration status. This investigation will include the inmate’s criminal conviction(s), verifiable resources in this country, and relatives.

If released to a Bureau of Immigration and Customs Enforcement (BICE) detainer for deportation, BICE will arrange the inmate’s release transportation including the purchase of their airline ticket. A BICE agent will escort the inmate from the institution and see that he make his transportation connections. If released to a BICE detainer but placed on bond, inmates are responsible for their own release transportation. Neither BICE nor the institution can furnish funds.

Based On Other Charges / Release to State:: Warrants or certified copies of warrants based on pending charges, overlapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions will be accepted as Detainers. Detainers and untried charges can have an effect an inmate’s institutional programs. It is important for inmates to attempt to clear up Detainers promptly. Case Managers may assist in the review of Detainers; however, inmates are responsible for the resolution of these charges. Written documentation must be received from the appropriate law enforcement source having jurisdiction and authority to resolve the issue. Documentation will not be considered valid from any other source (i.e., submitted by the inmate or his attorney). The degree to which

staff can be of service varies with the individual circumstances of the inmate's detainer(s).

Federal and most state Detainers for pending charges on which there has not been a final disposition can generally be quickly processed under the Interstate Agreement on Detainers (IAD). In order to use this procedure, the warrant must be lodged with the institution as a detainer. Once necessary forms are completed under this procedure, the detaining authorities have one hundred eighty (180) days in which to take action or consider the detainer null and void. If an inmate has any questions concerning Detainers, the inmate should be directed to the Inmate Systems Manager.

If released to a state detainer, responsible authorities will receive the inmate at R&D for transportation to their detainer destination.

Treaty Transfers: In accordance with the provisions of 28CFR 0.96b, the Attorney General has delegated the Director of the Bureau of Prisons, and to designees of the Director, the authority to receive custody of, and to transfer to and from the United States, the offenders in compliance with the conditions of the treaty. Generally, a treaty transfer provides for an individual, convicted of a crime and sentenced to imprisonment or some form of conditional release (probation, parole, etc.), in a country other than his or her country of citizenship, to be transferred to the individual's country of citizenship for sentence completion. An inmate's transfer is voluntary and subject to both countries' approval. The Case Manager of an inmate who is a citizen of a treaty nation shall inform the inmate of the treaty and provide the inmate with an opportunity to inquire about a transfer via the appropriate forms (BP-S 297) whether he or she is was advised of the opportunity to inquire about the transfer.

Release Gratuities: Release gratuities are monies given to an inmate at the time of release. Gratuity funding is to cover expenses en route to his destination and immediately upon arrival. Budget constraints are such that inmates ordinarily receive \$25.00 or less. Inmates being released to the Bureau of Immigration and Customs Enforcement (BICE) normally receive little or no gratuity from the Bureau of Prisons. All inmates are urged to save a portion of their earnings each month for use following release.

Release Transportation: When an inmate is being released from this institution directly to his home, the institution will pay release transportation by the least expensive mode of travel. If they are being picked up at the facility by private vehicle, they may be allowed to depart after 8:00 a.m. Inmates being furloughed to a CCC will follow a transportation schedule established by unit staff. In most cases, transportation will be by bus. When a sentence ends on Saturday, Sunday, or a holiday, release will be on the preceding workday by authority of the Warden.

Supervised Release: If an inmate has supervised release to follow their sentence, he will be under the supervision of a U.S. Probation Officer. He is not required to have a release plan approved prior to release. However, they must be accepted for supervision by the Probation Officer if he intends to be released to a district other than the one in which he was sentenced. Inmates have seventy-two (72) hours (three days) from the time of departure from the facility to report to the U.S. Probation Officer for supervision. Inmates should take their Notice of Release and Arrival Form (given to them at the time of release) to the Probation Officer at this time. Although they have seventy-two (72) hours in which to see his Probation Officer, we urge inmates to call him/her immediately upon arrival to report in and to schedule their initial interview.

Release Clothing: If inmates do not have suitable release clothing, the R&D Office will provide clothing for them. If they have the means available, inmates may receive an approved release package from outside sources, within 30 days of their release. Inmates should see their assigned Unit Counselor for authorization forms.

DIRECTIONS TO THE INSTITUTION

The Federal Medical Center, Devens, is located 40 miles northwest of the city of Boston, Massachusetts. Route 2 runs through the area and is the main artery for east/west travel in the north central, Massachusetts area. Visitors should take Exit 37B if traveling on Route 2 and proceed straight onto Jackson Road. After entering the main gate, take your first right off Jackson Road onto Patton Road. The Devens Federal Medical Center is approximately ½ mile down on the right. The Devens Federal Medical Center is located on the grounds of the former Fort Devens Military Base and is adjacent to the towns of Ayer, Harvard and Shirley. FMC Devens is located approximately 40 miles northwest of Boston, MA. A variety of transportation methods service the area. Air transportation in the immediate area includes Boston, Worcester, Manchester, New Hampshire, and

Providence, Rhode Island. From any of these airports in the area, limousine, bus, rail and taxi service to Devens is available. The city is serviced by bus and local taxi service.

Rights and Responsibilities

The institution discipline system is important to everyone. Inmates are urged to develop and exercise self-discipline at all times. In order to maintain a safe and orderly institution, a formal discipline policy has been developed to deal with those persons who cannot or will not exercise self-discipline. All inmates should become thoroughly familiar with the discipline policy and the procedures. Those who know and follow the policy rarely experience the formal disciplinary procedure first hand. The following will provide guidance in developing self-discipline within the institution:

RIGHT: Inmates have the right to expect that, as human beings, they will be treated respectfully, impartially, and fairly by all personnel.

RESPONSIBILITY: Inmates have the responsibility to treat others, both employees and inmates, in the same manner.

RIGHT: Inmates have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.

RESPONSIBILITY: Inmates have the responsibility to know and abide by the rules.

RIGHT: Inmates have the right to freedom of religious affiliation and voluntary religious worship.

RESPONSIBILITY: Inmates have the responsibility to recognize and respect the rights of others in this regard.

RIGHT: Inmates have the right to health care which includes nutritious meals, proper bedding and clothing, a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles, and medical and dental treatment.

RESPONSIBILITIES: It is the inmate's responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean living quarters, to keep his area free of contraband, and to seek medical and dental care as he may need it.

RIGHT: Inmates have the right to visit and correspond with family members and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.

RESPONSIBILITY: It is each inmates responsibility to conduct himself properly during visits, not to accept or pass contraband, and not to violate the law, Bureau rules, or institution guidelines through his correspondence.

RIGHT: Inmates have the right to unrestricted and confidential access to the courts by correspondence on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of their imprisonment.

RESPONSIBILITY: Inmates have the responsibility to present honestly and fairly their petitions, questions, and problems to the court.

RIGHT: Inmates have the right to legal counsel from an attorney of their choice by interviews and correspondence.

RESPONSIBILITY: It is the inmate's responsibility to use the services of an attorney honestly and fairly.

RIGHT: Inmates have the right to participate in the use of law library reference materials to assist them in resolving legal problems. Inmates also have the right to receive help when it is available through a legal assistance program.

RESPONSIBILITY: It is the inmate's responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates in the use of materials and peer assistance.

RIGHT: Inmates have the right to a wide range of reading materials for educational purposes and for their own enjoyment.

RESPONSIBILITY: It is the inmate's responsibility to seek and utilize such material for their personal benefit, without depriving others of their equal rights to the use of this material.

RIGHT: Inmates have the right to participate in education, vocational training, and employment as far as resources are available and in keeping with their interest, needs, and abilities.

RESPONSIBILITY: Inmates have the responsibility to take advantage of activities which may help them live a successful and law-abiding life within the institution and in the community. Inmates will be expected to abide by the regulations governing the use of such activities.

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

GREATEST CATEGORY

CODE PROHIBITED ACTS

100 Killing

101 Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)

102 Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution with violence

103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g. in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)

104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition

105 Rioting

106 Encouraging others to riot

107 Taking hostage(s)

108 Inmates found in possession of an electronic communication device or related equipment may be charged with a violation of Code 108, Possession, Manufacture, or Introduction of a hazardous Tool, or Code 199 most like Code 108, and will be subject to available sanctions if found to have committed the prohibited act.

109 (Not to be used)

110 Refusing to provide a urine sample or to take part in other drug-abuse testing

111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff

112 Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff

SANCTIONS

A. Recommend parole date rescission or retardation.

B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily between 50 and 75% (27- 41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary Transfer (recommend).

D. Disciplinary segregation (up to 60 days).

E. Make monetary restitution.

F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed).

G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).

GREATEST CATEGORY
[Cont'd]

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
113	Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	A. Recommend parole date rescission or retardation.
197	Use of the telephone to further criminal activity.	B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) an/or terminate or disallow good time (an extra good time or good conduct time sanction may not be suspended.)
198	Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature .) This charge is to be used only when another charge of greatest severity is not applicable.	C. Disciplinary Transfer
199	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Greatest Severity nature .) This charge is to be used only when another charge of greatest severity is not applicable.	D. Disciplinary Segregation (up to 60 days)
		E. Make monetary restitution
		F. Withhold statutory good time (note can be in addition to A-E- cannot be the only sanction executed).
		G. Loss of privileges(Note can be in addition to A through E-cannot be the only sanction executed).

HIGH CATEGORY

CODE PROHIBITED ACTS

200 Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions– without violence.

201 Fighting with another person

202 (Note to be used)

203 Threatening another with bodily harm or any other offense

204 Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing

205 Engaging in sexual acts

206 Making sexual proposals or threats to another

207 Wearing a disguise or a mask

208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure

209 Adulteration of any food or drink

210 (Not to be used)

211 Possessing any officer = s or staff clothing

212 Engaging in, or encouraging a group demonstration

213 Encouraging others to refuse to work, or to participate in a work stoppage

214 (Not to be used)

215 Introduction of alcohol into BOP facility

216 Giving or offering an official or staff member a bribe, or anything of value

217 Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes

SANCTIONS

A. Recommend parole date rescission or retardation.

B. Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)

B.1 Disallow ordinarily between 25 and 50% (14- 27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary Transfer (recommend).

D. Disciplinary segregation (up to 30 days).

E. Make monetary restitution.

F. Withhold statutory good time]

G. Loss of privileges: commissary, movies, recreation, etc.

H. Change housing (quarters)

I. Remove from program and/or group activity

J. Loss of job

K. Impound inmate's personal property

L. Confiscate contraband

M. Restrict to quarters

HIGH CATEGORY [Cont'd]

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
218	Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value	Sanctions A - M
219	Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored.)	
220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)	
221	Being in an unauthorized area with a person of the opposite sex without staff permission	
222	Making, possessing, or using intoxicants	
223	Refusing to breathe into a breathalyser or take part in other testing for use of alcohol	
224	Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)	
297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).	
298	Interfering with a staff member in the performance of duties. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of the high severity is not applicable.	
299	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of high severity is not applicable.	

MODERATE CATEGORY

CODE PROHIBITED ACTS

300 Indecent Exposure

301 (Not to be used)

302 Misuse of authorized medication

303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized

304 Loaning of property or anything of value for profit or increased return

305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels

306 Refusing to work, or to accept a program assignment

307 Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)

308 Violating a condition of a furlough

309 Violating a condition of a community program

310 Unexcused absence from work or any assignment

311 Failing to perform work as instructed by the supervisor

312 Insolence towards a staff member

313 Lying or providing a false statement to a staff member.

314 Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)

SANCTIONS

A. Recommend parole date rescission or retardation.

B. Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary Transfer (recommend).

D. Disciplinary segregation (up to 15 days).

E. Make monetary restitution.

F. Withhold statutory good time.]

G. Loss of privileges: commissary, movies, recreation, etc.

H. Change housing (quarters).

I. Remove from program and/or group activity.

J. Loss of job.

K. Impound inmate's personal property.

L. Confiscate contraband.

M. Restrict to quarters .

N. Extra duty.

MODERATE CATEGORY
[Cont'd]

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
315	Participating in an unauthorized meeting or gathering	[Sanctions A - N]
316	Being in an unauthorized area	
317	Failure to follow safety or sanitation regulations	
318	Using any equipment or machinery which is not specifically authorized	
319	Using any equipment or machinery contrary to instructions or posted safety standards	
320	Failing to stand count	
321	Interfering with the taking of count	
322	(Not to be used)	
323	(Not to be used)	
324	Gambling	
325	Preparing or conducting a gambling pool	
326	Possession of gambling paraphernalia	
327	Unauthorized contacts with the public	
328	Giving money or anything of value to, or accepting money or anything of value from: another inmate, or any other person without staff authorization	
329	Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less	
330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards	

MODERATE CATEGORY
[Cont'd]

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
331	Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics)	A-N
332	Smoking or Using Tobacco products	
397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).	
398	Interfering with a staff member in the performance of duties. (Conduct must be of the Moderate Severity nature .) This charge is to be used only when another charge of moderate severity is not applicable.	
399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Moderate Severity nature). This charge is to be used only when another charge of moderate severity is not applicable.	

LOW MODERATE CATEGORY

CODE PROHIBITED ACTS

400 Possession of property belonging to another person

401 Possessing unauthorized amount of otherwise authorized clothing

402 Malingering, feigning illness

403 Not to be used

404 Using abusive or obscene language

405 Tattooing or self-mutilation

406 Not to be Used

407 Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)

408 Conducting a business

409 Unauthorized physical contact (e.g., kissing, embracing)

410 Unauthorized use of mail(restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G) (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use: e. g. the mail is used for planning or facilitating, committing an armed assault on the institution's secure perimeter, would be charged as code 101, Assault)

497 Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list).

498 Interfering with a staff member in the performance of duties. Conduct must be of the Low Mode-rate Severity nature) This charge is to be used only when another charge of low moderate severity if not applicable.

SANCTIONS

B.1 Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1- 14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).] (See Chapter 4 Page 16 for VCCLEA violent and PLRA inmates.)

E. Make monetary restitution.

F. Withhold statutory good time.

G. Loss of privileges: commissary, movies, recreation, etc.

H. Change housing (quarters).

I. Remove from program and/or group activity.

J. Loss of job.

K. Impound inmate's personal property.

L. Confiscate contraband.

M. Restrict to quarters.

N. Extra duty.

O. Reprimand.

P. Warning.

LOW MODERATE CATEGORY
[Cont'd]

<u>CODE</u>	<u>PROHIBITED ACTS</u>	<u>SANCTIONS</u>
499	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Low Moderate severity nature .) This charge is to be used only when another charge of low moderate severity is not applicable.	[Sanctions B.1 - P]

NOTE : Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offenses itself.]